



## ***Sense of the UNLV Faculty Senate Opposing Shortened Notice of Termination***

The Board of Regents is considering an amendment to Title 2, Chapter 5 (new Section 5.9.6), of the NSHE Code which shortens the notice required for non-reappointment of administrative faculty. The faculty of UNLV, through their representatives on the Faculty Senate, oppose this change as detrimental to the efficient and effective operation of the University and the pursuit of Top Tier status. Given the unique nature of academia, the existing notice standards serve long established and important functions which complement academic faculty appointments.

There are three major reasons why the UNLV Faculty Senate opposes this Code change:

- 1) The proposal hinders the hiring and retention of quality faculty and staff. Given the problems already created by the lack of salary equity and the low quality of our benefit packages relative to our peer and aspirational institutions, it is inappropriate to simultaneously lessen the job security inherent in NSHE employment, particularly when many administrative faculty bring long experience and unique skill sets to their jobs.
- 2) Because Chapter 5 non-reappointment prohibits the terminated faculty member from using grievance processes, this process prevents any independent review of the firing. Such a course is not in the best interests of the institutions, employees, or NSHE, because it accommodates or invites uncontestable, unaccountable, or potentially abusive personnel decisions.
- 3) Chapter 5 provides for termination without cause. Standard business practice in most of the United States is termination without cause during a probationary period, then termination only for cause, with required evaluation and opportunity for improvement after probation. Though Nevada law permits "at will" employment, it does not require it, and most major Nevada companies do not practice it. Comparisons provided by the Board on length of time of notice at other institutions do not specify if such non-reappointment is with or without cause, and, the proposed amendment puts the NSHE near the bottom of the distribution. The Senate believes that terminations of permanent employees past their initial probation should be only made for cause, and should therefore fall under Chapter 6 of the Code, not Chapter 5. Chapter 6 provides for significant internal review and transparency, which is essential for the efficient operation of the institution.

Because the present system of notice has served the NSHE system well with very little trouble, the Senate urges the Regents to reject this proposal.

*Passed by the UNLV Faculty Senate on November 10, 2015 by a vote of 34-1-1.*

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