

EMPLOYEE BUYOUTS/ SETTLEMENTS

Annual Report (Revised)

January 1, 2021 through December 31, 2021



BOARD OF REGENTS
MARCH 2022

Joe Reynolds, Chief General Counsel

In 2018/2019, the Board adopted a new policy regarding the annual reporting of employee contract buyouts/settlements.

Section 49, Chapter 3, Title 4 of the NSHE Handbook

- Notice must be approved in writing by the institution President and reported by the institution's General Counsel to the NSHE Chief General Counsel within five (5) business days of the President's approval.
- Report shall occur on a form prescribed by the NSHE Chief General Counsel that includes the name and title of the employee, the institution, the relevant dates, the amount of the buyout, and a justification.
 - The Chancellor shall prepare a public annual report to the Board.

Purpose of the Report

- Under current policy established by the Board of Regents in Title 2, Chapter 5, Section 9 of the Code, nontenured academic faculty and administrative faculty of NSHE institutions are entitled to periods of advanced notice when their employment is being ended for reasons other than their voluntary retirement or formal disciplinary action.
- The period of required advanced notice are often referred to as a ‘notice of non-reappointment’ or NNR.
- The period of required ‘notice of non-reappointment’ or NNR an NSHE institution must provide depends upon the faculty member’s original hire date within NSHE and the amount of time they have worked with us.

Purpose of the Report (Continued)

- Determining the applicable Code provision for a particular faculty member often requires analysis.
- For example, Title 2, Chapter 5, Section 9, Subsection 6(a) of the Code provides that a nontenured administrative faculty member hired *after July 1, 2016*, is entitled to the following ‘notice of non-reappointment’ or NNR period:
 - In first year of employment, at least 60 calendar days notice;
 - In the second year of employment, at least 90 calendar days notice;
 - In the third year of employment, at least 120 calendar days notice; and
 - In the fourth year of employment, at least 180 calendar days notice.
- The Code requires different notice periods for faculty hired before July 1, 2016, or before March 1, 2005. Other notice periods are provided based upon the faculty member’s job position or whether or not they have a written employment agreement.

Purpose of the Report (Continued)

- The Board's policies present unique human resource and legal challenges when NSHE institutions determine it is necessary to make personnel changes for a number of reasons, such as department reorganizations, longer-term cost savings, or the employee was not a good fit for the position they held. In some instances, pre-litigation liability may also be a consideration.
- Prior to 2018, the identified costs associated with these policies were largely unidentified and/or unreported to the Board. The purpose of this annual Report is to provide the Board with a summary of costs associated with its policies.
- Names, job titles, and specific rationales underlying personnel decisions of each reported buyout/settlement are not included in this Report to protect the **confidentiality** of the former employee.

Reported Buyouts/Settlements By NSHE Institution

JANUARY 1, 2021 TO DECEMBER 31, 2021

TMCC (12) \$403,097 (decrease from 2020)

SA/SCS (3) \$154,158 (increase from 2020)

WNC (3) \$122,583 (decrease from 2020)

CSN (1) \$63,314 (increase from 2020)

UNR (1) \$38,479 (decrease from 2020)

UNLV None (decrease from 2020)

GBC None (decrease from 2020)

DRI None (decrease from 2020)

NSC None (same as 2020)

Total Buyout/Settlements (20) = \$781,631

Compare Buyouts/Settlements

YEARS 2016/2018 TO 2019

Buyouts/Settlements July 1, 2016 to June 30, 2018

103 Buyouts/Settlements (52 Average Per Year)*

Total Cost: \$8,861,268 (\$4,430,634 Average Per Year)

Approximately 84% Decrease

Buyouts/Settlements 2019

18 Buyouts/Settlements

Total Cost: \$713,631

*NOTE: This number included those from UNLV's Voluntary Separation Incentive Program

Compare Buyouts/Settlements

YEARS 2019 TO 2020

Buyouts/Settlements 2019

18 Buyouts/Settlements

Total Cost: \$713,631

Approximately 35.3% Increase

Buyouts/Settlements 2020

26 Buyouts/Settlements

Total Cost: \$1,102,283

Compare Buyouts/Settlements

YEARS 2020 TO 2021

Buyouts/Settlements 2020

26 Buyouts/Settlements

Total Cost: \$1,102,283

Approximately 29.1% Decrease

Buyouts/Settlements 2021

20 Buyouts/Settlements

Total Cost: \$781,631

TRUCKEE MEADOWS COMMUNITY COLLEGE (TMCC)

12 Total Buyouts/Settlements

\$63,026

\$44,922

\$36,659

\$33,505

\$31,817

\$30,557

\$29,190

\$29,190

\$29,190

\$28,388

\$26,992

\$19,661

TMCC 2021 Total = \$403,097

TMCC 2020 Total = \$543,992

TMCC 2019 Total = \$71,988

SYSTEM ADMINISTRATION/SYSTEM COMPUTING SERVICES

3 Total Buyout/Settlements

\$119,167 (SCS)

\$20,625 (SA)

\$14,366 (SA)

SA/SCS 2021 Total Cost = \$154,158

SA/SCS 2020 Total Cost = \$27,102

SA/SCS 2019 Total Cost = \$60,741

WESTERN NEVADA COLLEGE (WNC)

3 Total Buyouts/Settlements

\$61,748

\$35,835

\$25,000

WNC 2021 Total = \$122,583

WNC 2020 Total = \$196,327

WNC 2019 Total = \$0

COLLEGE OF SOUTHERN NEVADA (CSN)

1 Total Buyouts/Settlements

\$63,314

CSN 2021 Total Cost = \$63,314

CSN 2020 Total Cost = \$0

CSN 2019 Total Cost = \$77,295

UNIVERSITY OF NEVADA, RENO (UNR)

1 Total Buyout/Settlement

\$38,479

UNR 2021 Total Cost = \$38,479

UNR 2020 Total Cost = \$53,144

UNR 2019 Total Cost = \$91,201

UNIVERSITY OF NEVADA, LAS VEGAS (UNLV)

None

UNLV 2021 Total Cost = \$0

UNLV 2020 Total Cost = \$90,409

UNLV 2019 Total Cost = \$347,406

GREAT BASIN COLLEGE (GBC)

None

GBC 2021 Total Cost = \$0

GBC 2020 Total Cost = \$184,001

GBC 2019 Total Cost = \$25,000

DESERT RESEARCH INSTITUTE (DRI)

None

DRI 2021 Total = \$0

DRI 2020 Total = \$7,308

DRI 2019 Total = \$40,000

NEVADA STATE COLLEGE (NSC)

None

NSC 2020 Total = \$0

NSC 2020 Total = \$0

NSC 2019 Total = \$0