

BOARD OF REGENTS  
BRIEFING PAPER

**1. Agenda Item Title: Handbook Revision, Personnel Policy For Faculty – Salaries, Unpaid Leave or Temporary Workload Increase**

**2. BACKGROUND & POLICY CONTEXT OF ISSUE:**

On June 19, 2009, the Board of Regents adopted an emergency amendment of the NSHE Code, in accordance with Title 2, Chapter 1, Sec. 1.3.3.b, due to the 2009 legislative budgetary action and NSHE faculty contract provisions. The proposed amendment to the Code is the permanent adoption of a new Code provision added to Title 2, Chapter 5, as Section 5.5.7, as follows:

“Notwithstanding Title 2, Section 5.4, as the 75th Session of the Nevada Legislature has explicitly appropriated a lower amount for NSHE salaries than would otherwise be authorized and appropriate according to the NSHE salary policies, the Board of Regents does hereby and for the 2009-2011 biennium only, temporarily reduce salaries through the use of unpaid leave in an amount equivalent to the amount of legislative salary cut for FY 2011. The Board shall, to the extent feasible, devise methods that protect base compensation and benefits and shall offer tenured faculty an alternative of unpaid teaching workload increases in lieu of unpaid leave. The various Presidents shall consult with their respective faculty senates regarding the implementation of this section. Unpaid leave or temporary workload increases required by this section are final and not subject to appeal, grievance or reconsideration. The provisions of this section shall constitute constructive notice to all faculty and no individual notice to any such faculty member shall be required hereunder to implement the foregoing. To the extent any conflict or inconsistency between this and any other section of the Code exists, the provisions of this section shall control. This section will terminate on June 30, 2011.”

**3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:**

Approval of a Code amendment that provides a mechanism for the implementation of unpaid leave or temporary workload increases of the faculty and professional staff consistent with the intent of Senate Bill 433.

**4. IMPETUS (WHY NOW?):**

This provision was first read at the June 19, 2009, Board of Regents meeting and was adopted as an emergency amendment. This is the second and final reading of the revision to the Board of Regents' Code.

In accordance with Title 2, Chapter 1, Sec. 1.3.3.b of the NSHE Handbook, an emergency amendment adopted by the Board of Regents may be effective for a period of not longer than 120 calendar days (*emergency amendment adopted on June 19, 2009*).

**5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:**

The purpose and language of the amendment complies with the intent of the Senate Bill 433, an act imposing mandatory furloughs on State employees, including professional employees of the NSHE, which provides in pertinent part as follows:

“The Board of Regents of the University of Nevada shall determine and implement the method by which:

- a) The professional employees of the Nevada System of Higher Education will participate in the furlough requirement pursuant to this section; or
- b) The overall costs for the professional employees of the Nevada System of Higher Education will be reduced in an amount at least equal to the savings which would have otherwise been produced by furlough leave pursuant to this section.” *[which would be 4%]*

**6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:**

None.

**7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:**

None.

**8. COMPLIANCE WITH BOARD POLICY:**

- Consistent With Current Board Policy: Title #\_\_\_\_ Chapter #\_\_\_\_ Section #\_\_\_\_
- Amends Current Board Policy: Title # 2, Chapter #5, Section #5.5.7 (creates additional section)**
- Amends Current Procedures & Guidelines Manual: Chapter #\_\_\_\_ Section #\_\_\_\_
- Other:\_\_\_\_\_
- Fiscal Impact: Yes\_\_\_\_ No\_\_\_\_  
Explain:\_\_\_\_\_

**PROPOSED REVISIONS**  
***NSHE Handbook Revision***

**TITLE 2, CHAPTER 5, SECTION 5.5.7**

**Personnel Policy for Faculty – Salaries,  
Unpaid Leave or Temporary Workload Increases**

Additions appear in ***boldface italics***; deletions are [~~stricken~~ and bracketed]

**Section 5.5 Salaries**

**5.5.7 Unpaid Leave or Temporary Workload Increases**

*Notwithstanding Title 2, Section 5.4, as the 75th Session of the Nevada Legislature has explicitly appropriated a lower amount for NSHE salaries than would otherwise be authorized and appropriate according to the NSHE salary policies, the Board of Regents does hereby and for the 2009-2011 biennium only, temporarily reduce salaries through the use of unpaid leave in an amount equivalent to the amount of legislative salary cut for FY 2011. The Board shall, to the extent feasible, devise methods that protect base compensation and benefits and shall offer tenured faculty an alternative of unpaid teaching workload increases in lieu of unpaid leave. The various Presidents shall consult with their respective faculty senates regarding the implementation of this section. Unpaid leave or temporary workload increases required by this section are final and not subject to appeal, grievance or reconsideration. The provisions of this section shall constitute constructive notice to all faculty and no individual notice to any such faculty member shall be required hereunder to implement the foregoing. To the extent any conflict or inconsistency between this and any other section of the Code exists, the provisions of this section shall control. This section will terminate on June 30, 2011.*