

BOARD OF REGENTS  
BRIEFING PAPER

**1. Agenda Item Title: Handbook Revision, Bylaws, System Administration**

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

To update the Board of Regents Handbook with revisions to the System Administration Bylaws regarding the peer review process

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

Approve Board of Regents Handbook revisions outlining the peer review process for System Administration

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

The revisions need to be in place for the 2008 System Administration review process.

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

System Administration Professional Employees should have a peer review option regarding challenges to employment evaluations.

These revisions will add clarity to the process of an employee challenging their review.

The revisions have been approved by a majority of System Administration Professional staff.

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

System Administration Professional staff should have no clear options when challenging a review.

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

Leave the Bylaws as they are.

**8. COMPLIANCE WITH BOARD POLICY:**

Consistent With Current Board Policy: Title #\_\_\_\_ Chapter #\_\_\_\_ Section #\_\_\_\_  
 Amends Current Board Policy: Title #\_5\_ Chapter #\_5\_ Section #\_2.6\_  
 Amends Current Procedures & Guidelines Manual: Chapter #\_\_\_\_ Section #\_\_\_\_  
 Other: \_\_\_\_\_  
 Fiscal Impact: Yes\_\_\_\_ No\_\_x\_\_  
Explain:\_\_\_\_\_

Title 5 - ~~UCCSN~~ **NSHE** Governing Documents

Chapter 5

“Unit head” shall be defined as meaning the Chancellor for the Chancellor’s Office and shall also mean the administrative head of sections within the Chancellor’s Office; the Vice Chancellor for Technology; **the Director of the**

effective upon publication and distribution by the Senate Chairperson.  
(B/R 6/03)

1.2.4 Any balloting by faculty members may be conducted electronically if approved by the System Administration Faculty Senate under procedures designed to provide ballot security. (B/R 6/03)

### Section 1.3 Faculty Organization

1.3.1 Members of the System Administration faculty are professionals and have the responsibility to conduct themselves in accordance with accepted ethical and moral standards. (See UCCSN **NSHE Code**, Chapter 2.) (B/R 6/03)

1.3.2 The System Administration faculty shall be composed of all professional staff members of the Chancellor's Office, System Computing Services, **Management Assistance Partnership, Sponsored Projects Office** and University of Nevada Press who are employed by any of these units and who are not similarly represented by any other institution of the UCCSN **NSHE**. (B/R 6/03)

1.3.3 The faculty members assigned to each unit are encouraged and authorized to create bylaws relating to the internal operation of their unit. (B/R

## Section 1.4 Faculty Senate

1.4.1 The faculty of System Administration shall have representation in a faculty senate, hereinafter known as System Administration Faculty Senate or Senate. The Senate shall be composed of members elected from each unit on the basis of one representative for each 10 professional employees or fraction thereof within a unit. Each unit shall be represented by at least two representatives. The Chancellor shall not be eligible for membership in the Senate nor be counted for the purpose of determining Senate membership representation quotas.

1.4.2 Action of the System Administration Faculty Senate. Action of the Senate shall be approved or disapproved by a vote from the Senate (Procedure 1) or, alternatively, by a vote from the System Administration faculty (Procedure 2).

Procedure 1: Action shall be approved or disapproved by a vote of the Senate or the Senate may elect to send the action to the faculty as a whole for approval or disapproval. If the Senate votes on the action, within 15 working days of the vote the results shall be published for review by the faculty.



2.3.2 Recommendations for multi-year contracts shall be as outlined in Chapter 5 of the UCCSN NSHE Code.

2.3.3 Any faculty member who feels he or she has been treated unfairly according to the above-referenced recommendations and standards may file a grievance as outlined in Section 2.4 of these bylaws.  
(B/R 6/03)

#### Section 2.4 Grievances

This section deals with grievances concerning personnel actions, including decisions, actions, or failure to act alleged to be adverse to a faculty member, as defined by Chapter 5 of the UCCSN NSHE Code . This grievance procedure is limited in scope as defined in UCCSN NSHE Code , Section 5.7.2. Grievances involving salary, promotion, and reappointment should be grieved as described in Sections 5.2.3 and 5.2.4 of the UCCSN NSHE Code . This grievance procedure does not apply to complaints seeking disciplinary action under Chapter 6 of the UCCSN NSHE Code , which are initiated by filing a complaint as specified in Section 6.8 of the UCCSN NSHE Code.  
(B/R 6/03)

##### 2.4.1 Definitions and General Provisions

(a) Petitioner shall mean the person or group filing the grievance. Respondent shall mean the person or group whose decision, action, or failure to act is being challenged. (B/R 6/03)

(b) Although specific time limits are set forth in this section, it is desirable, but not required, that action should be taken more expeditiously so that matters can, wherever possible, be determined in the same contractual year in which the grievance was initiated.

(c) Any limitation of time set forth in this section may be changed by the mutual consent of the petitioner and the respondent.

(d) The petitioner may be assisted at all stages by counsel of his or her own choice. (Employees of the office of Vice Chancellor for Legal Affairs shall not serve as counsel for a petitioner.) (B/R 2/05)

#### 2.4.2 Procedures for Initiating a Grievance

(a) Within 15 working days of the notice of the adverse action, petitioner shall first attempt to informally resolve the matter with the petitioner's supervisor. If that is unsuccessful, petitioner shall then have 15 working days from the date the informal resolution is unsuccessful to prepare a written "Notice of Grievance" containing a brief statement of the decision, action, or failure to act being challenged, the reasons it is considered unjust or improper, and the remedy sought. The petitioner shall serve the Notice of Grievance on the respondent and file it with the Vice Chairperson of the System Administration Faculty Senate, as specified below. (B/R 6/03)

(b) In grievances involving alleged violations of Affirmative Action/EEO policies, the grievance procedures provided in Title 4, Chapter 8,



faculty members in the conduct of investigations or hearings and shall have access to all relevant records and materials. Faculty members are expected as part of their professional responsibility to cooperate with the Hearing Subcommittee. (B/R 6/03)

(d) The Hearing Subcommittee shall elect a Chairperson at its first meeting. Within 20 days of the first meeting, the Hearing Subcommittee shall hold a formal hearing on the grievance at a time mutually agreed upon by all parties. (B/R 6/03)

(e) The hearing shall be held in either Reno or Las Vegas, the place to be decided as follows: An arithmetical count will be taken of the individuals primarily involved in the hearing, i.e., the petitioner(s), respondent(s), the person and/or attorney assisting the respondent, and the Subcommittee members; the place of work of a simple majority of those persons shall be the city in which the hearing is held. In the case of a tie, the city shall be chosen by the petitioner. If travel between Reno and Las Vegas is involved for any of those persons named in this section, the travel expense shall be borne by the unit in which the person is employed. (B/R 10/87)

(f) All written materials to be considered shall be submitted at least 5 working days before the hearing to the Subcommittee Chairperson and the adverse party. No written material submitted after this deadline shall be considered by the Subcommittee except upon unanimous agreement of all the parties and the Subcommittee members. (B/R 6/03)

(g) Prior to the commencement of the hearing, the Subcommittee Chairperson shall, after consultation with each party to the dispute, impose a reasonable limit on the amount of time to be allowed for completion of the testimony offered in the case; such time to be allowed for testimony shall be equal for each party to the dispute. Any request for additional time shall be granted at the discretion of the Subcommittee members for good cause shown, and an affirmative vote by two of the three Subcommittee members shall



2.5.4 Upon being informed of the formation of the review committee, the Chancellor or the unit head involved shall, as soon as reasonably possible, provide the committee with a reasonably adequate statement of the basis for the initial determination, a reasonably adequate description of the manner in which the decision was arrived at, and a reasonably adequate description of the information and data, including the provision of copies of relevant documents, upon which the Chancellor or the unit head involved relied in making such an initial determination. Within a reasonable time, the review committee shall review this information and shall make a recommendation to the Chancellor on whether the initial determination ought to be implemented, rejected, or modified, together with reasons for such a recommendation. Faead

and discussed with the affected faculty member, when requested by said faculty member. (B/R 10/85)

## **Section 2.6 Request for Reconsider**

**Officer for assistance in the creation of a Peer Review Committee. Human Resources will advise each person in his or her selection.**

- (a) **The Peer Review Committee shall consist of three (3) professional staff members, one of which shall be designated as the chair of the committee. The employee shall appoint one person and the supervisor shall appoint one person. The chair will be appointed by the Chancellor or Executive Vice Chancellor. The chair will be a professional staff member from a department other than that of the employee and supervisor.**

- **The position of the employee (i.e., if the employee takes issue with the evaluation prepared by the supervisor on certain points, the issues should be listed).**
- **The resolution requested by the employee.**
- **A brief summary of the supervisor's evaluation and/or merit recommendation and the points of contention.**
- **Committee Findings: The committee**