



NEVADA FACULTY ALLIANCE

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To: Interim Committee to Study the Salaries of Certain Positions  
in the Unclassified and Nonclassified Service of the State

Subj: Agenda item IX: Discussion of Unclassified Positions and  
Salary Structures within the Nevada System of Higher Education (NSHE)

Thank you for your service and for this opportunity to provide input. The Nevada Faculty Alliance (NFA) is the independent statewide association of faculty at all eight NSHE institutions. We are affiliated with the American Association of University Professors.

The relationship between NSHE faculty positions and the State Classified, Unclassified, and Nonclassified employment systems has been a source of confusion. We therefore welcome this opportunity to add some context to your discussion.

NRS 396.110 authorizes the Board of Regents to create its own regulations for the government of the Nevada System of Higher Education. These regulations are embodied in the [Board of Regents Handbook](#), which includes Title 2, Nevada System of Higher Education Code, and Title 4, Codification of Board Policy Statements, which I will collectively refer to as the NSHE Code. The NSHE Code has extensive regulations on the conditions of employment for faculty and staff, including salary schedules for new hires. The Code provisions have the force of contract for NSHE employees. These provisions for faculty represents a parallel but different employment system from either State Classified or Unclassified employees.

In addition to about 2600 NSHE employees who are part of the State Classified system, there are nearly 3000 academic faculty, about 2800 professional staff known as “administrative faculty” in the NSHE Code, and a little over 200 Executives and Administrators. These Executives and Administrators are most similar to Nonclassified in the State System. The 5800 academic and administrative faculty represent rank-and-file workers of the system who interact directly with students and support its academic programs and infrastructure. For comparison, in the rest of State government, there are roughly 19,000 Classified, 1300 Unclassified, and 700 Nonclassified employees.

I have attached a table that compares the various employment categories in the state, based on my own research but certainly subject to correction by those more familiar with the state employment regulations. Within these broad categories, there is considerable diversity of employment conditions for various state agencies and NSHE institutions. The employment regulations for academic and administrative faculty under the NSHE Code are sufficiently distinct from those for State Classified, Unclassified, and Nonclassified employees that faculty need to be considered separately for many purposes. However, the Legislature has seen fit to treat NSHE faculty members the same as Classified employees with regard to Cost of Living Adjustments and—until the 2015 session when it was no longer funded—with regard to funding performance-based merit adjustments.

Regarding compensation, the lack of state funding over the past decade for performance-based raises for faculty has created severe problems with retention, recruitment, and salary compression and inversion. The performance-based compensation system for NSHE faculty is broken and needs to be fixed by the Board of Regents working with the legislative and executive branches. The interim study committee created by AB202, Committee to Conduct an Interim Study Concerning the Cost and Affordability of Higher Education, has a specific charge to “examine whether the system of compensation for faculty at each institution of the Nevada System of Higher Education is appropriate in order to recruit and retain quality faculty that further programs of higher education and research.” We believe the AB202 committee is an appropriate venue for consideration of faculty compensation issues.

Thank you.

## COMPARISON OF CONDITIONS OF EMPLOYMENT FOR STATE EMPLOYEE GROUPS IN NEVADA

| <b>EMPLOYEE TYPE</b>  | <b>Est. number<br/>(2016-17)</b> | <b>Overtime Eligible<br/>or Salaried</b> | <b>COLA<br/>when funded</b> | <b>Performance-Based Raises*</b>                      | <b>EMPLOYMENT<br/>SECURITY</b>   |
|---|----------------------------------|--|-----------------------------|---|--|
| <b>Classified</b>   | 19375 (State)<br>2617 (NHSE)     | Both                                     | Yes                         | Most years through FY09, and<br>FY15–present          | 30-day notice for<br>layoffs, 10-day for cause                                 |
| <b>NSHE Academic Faculty</b>                                | 2986                             | Salaried                                 | Yes                         | Most years 1980s–FY09,<br>and one year in FY15        | Contractual, notice<br>depends on tenure status<br>and contract type           |
| <b>NSHE Administrative Faculty<br/>(professional staff)</b> | 2805                             | Both                                     | Yes                         | Most years 1980s–FY09,<br>and one year in FY15        | Contractual, notice<br>depends on length of<br>employment and<br>contract type |
| <b>NSHE Executive,<br/>Administrators &amp; Over-range</b>  | 220                              | Salaried                                 | Yes                         | Not funded by State**                                 | Contractual or At-will   |
| <b>State Unclassified</b>                                   | 1309                             | Salaried                                 | Yes                         | Pay level discretionary, up to<br>maximum in pay bill | At-will  |
| <b>State Non-Classified<br/>(Executive, Judicial, LCB)</b>  | 709                              | Both                                     | Yes                         | Steps for some LCB &<br>Judicial staff                | Varies   |

\*Performance-based raises. In the case of Classified service and some LCB and Judicial staff, employees move up one step within grade on a salary schedule if rated “meets standard” or higher for the year, and if they are not already at the top (tenth) step of their grade. Per the NSHE Code, academic faculty and administrative faculty (professional staff) are granted an annual performance increase (when the merit pool is funded) if evaluated as meritorious (Commendable or Excellent) performance, with the amounts varying according to level of performance; no increase is given for non-meritorious (Satisfactory or Unsatisfactory) performance.

\*\*Per a 1987 Letter of Legislative Intent (Raggio & Sedway), the NSHE merit pool funding (when funded) by the legislature does NOT include Executive employees or administrators at or above the level of assistant or associate Dean, assistant or associate vice president, or assistant or associate vice provost and equivalent positions. The merit pool funding also does not include salaries over the maximum of the salary range for any faculty position.

Prepared by K. Ervin, Nevada Faculty Alliance, 1/2018. Disclaimer: Information obtained from a variety of sources for comparison purposes and is subject to correction.