

FINANCIAL EXIGENCY

Section 1. Before a recommendation is made to the Board of Regents by the Chancellor and the President or Presidents, that a financial exigency should be declared, as described in NSHE Code Title 2, Chapter 5, Section 5.4.5(c), NFA-CSN shall be consulted as to the exigency and NFA-CSN's advice and recommendations forwarded to the Regents along with those of the other parties given in 5.4.5(c2).

Section 2. In the event a financial exigency is declared by the Board of Regents under the provisions of NSHE code, affecting faculty members at CSN, the provisions shall be implemented consistently with the following:

- a. The ad hoc financial exigency committee shall consist of no fewer than fifteen (15) members. Every effort shall be made to ensure that committee membership is representative of the various academic disciplines.
- b. NFA-CSN shall be invited to nominate three bargaining unit faculty members to the President. At least one of those nominated shall be included in the President's committee membership selection.
- c. Any committee plan submitted to the President shall also be submitted to NFA-CSN and the Faculty Senate.
- d. In the event that the ad hoc financial exigency committee plan is not accepted by the President, the President shall submit a written explanation of the reason(s) for the rejection to the committee. The committee shall then have five (5) working days to amend the plan if it so chooses.
- e. If the committee amends the plan, and the President rejects the amended plan, the President shall again submit a written explanation of the reason(s) for the rejection to the committee.
- f. If the President does not approve the (revised) plan, the President shall submit to the Chancellor: the President's plan, the committee's (revised) plan, and the President's written explanation of the reasons for his/her rejection of the committee's plan.

Section 3. In the event the President establishes employment review committees under the provisions of NSHE Code, implementation shall be consistent with the following:

- a. Employment review committees shall consist of no fewer than five (5) members.
- b. For each employment review committee, NFA-CSN shall be invited to nominate three bargaining unit faculty members to the President. At least one of those nominated shall be included in the President's committee membership selection.
- c. If the President rejects the recommendation of the employment review committee in the case of a lay-off, the laid-off bargaining unit faculty member may appeal the decision to the Chancellor in writing, within five (5) calendar days after receipt of the President's decision. The Chancellor shall make a final determination within ten (10) calendar days after receipt of the appeal.