

University of Georgia Libraries Faculty

Working Group to Investigate an Appeals Process for Nontenured Faculty (Neil Hughes, chair; Florence King; Sheila McAlister; Nan McMurry; Katia Roberto); henceforth referred to as the working group.

**Executive Summary
Report to Faculty Advisory Board, June 30, 2004**

1. Charge: See Appendix A to the full report. We recommend viewing the full report online at http://www.libs.uga.edu/staff/contract_final.pdf to take advantage of hotlinks to various current UGA and USG Board of Regents policies referred to therein.

2. Background:

At the January 2004 meeting of the Libraries faculty, a concern was raised about the possible threat of layoffs at UGA, and the fact that librarians/archivists at UGA currently lack any avenue of appeal for nonrenewal of contract. The faculty then expressed its wish to investigate the possibility of securing some kind of appeals process. The Faculty Advisory Board (FAB) responded by forming the Working Group to Investigate an Appeals Process for Nontenured Faculty, henceforth referred to as the working group.

3. Methodology:

The working group examined existing personnel policies of the Board of Regents of the University System of Georgia, UGA Human Resources, the UGA Office of Legal Affairs, and UGA Academic Affairs. We conducted an informal e-mail query of other academic libraries (nationally) where librarians/archivists do not have tenure, asking about their policies, and we undertook a literature review. Interviews with Libraries faculty members involved in discussions of job security for Libraries faculty pre-1988 (the last time the issue was raised) were conducted. An attempt was made to identify a peer group or groups on campus. We also met with University Librarian and Associate Provost Dr. William Gray Potter.

4. Summary of key findings:

An important distinction must be made between “termination” and “nonrenewal.” Termination may occur for any class of employee on campus (tenured faculty, classified staff, non-tenured faculty/staff who sign an annual contract, and other non-tenured faculty or staff such as “Academic Professionals” who do not sign an annual contract), and the institution must show cause for termination. In the case of employee groups analogous to the Libraries faculty, who sign an annual contract, termination means a university-initiated cessation of employment in which one is required to leave *before the end of* the specified term of one's existing contract, and is usually only pursued in cases of dereliction of duty, criminal behavior, or other such extreme circumstance. With termination, all existing avenues of appeal that apply to tenured faculty (and most that apply to classified staff) are available to us.

However, in cases of nonrenewal (where one would not leave employment until the end of the last day specified in the existing contract), the institution is not legally required to show cause, even though notice must be given as a matter of Board of Regents policy to the employee at least nine months in advance of the end of the current contract. Nonrenewal is not currently appealable.

The conditions of employment for librarians/archivists vary considerably among the nine different academic libraries (eight of which are ARL libraries) who responded to our informal e-mail query. From their responses and from the other information we gathered, we concluded that there are a number of possible options that the Libraries faculty could pursue. Dr. Potter has indicated that he will support whichever of them the Libraries faculty chooses. A list of options follows from which we recommend the faculty make a choice, following close examination of the full report. It is neither ranked nor intended to be exclusive, and if other options should arise as a result of faculty discussion of this report, the working group welcomes them. Details regarding why the working group has not recommended outright to pursue an appeals process, which was implicit in our charge, are provided in the full report.

See the full report under VI., Recommendation, for details regarding many of the options that may help the reader decide why one option may be better or worse than another:

- Appeals process only
- Classified staff status
- Continuing appointment
- Multi-year renewable contracts (with no right-of-appeal)
- Non-faculty professional status such as Academic Professional
- Present situation (single-year contracts with no right-of-appeal)
- Tenure

5. Remaining scope of work and time frame:

It is impossible to gauge the remaining time required without knowing the faculty's pleasure as to which of the options to pursue. For most of the options, proposals would have to be drafted, faculty meetings to discuss said proposals while in draft would have to be held, and considerable communication with Dr. Potter, Florence King, and the Libraries HR staff would have to take place. The faculty is looking at a process that will take several months to complete at a minimum.