

AFT-W · MEMBER QUICK GUIDE

Know Your Rights at UW

What to do when your job, appointment, or duties are at issue

FOR UW FACULTY AND ACADEMIC STAFF

Educational overview · Individual campus procedures may provide additional protections

WHY THIS GUIDE MATTERS

Know your rights. Use your voice.

UW faculty and academic staff may have more workplace protection than they think — and knowing it early can change the outcome.

Due process changes the equation

Depending on your appointment and status, you may have protections most at-will employees do not — just cause, advance notice, a hearing, and a chance to challenge certain decisions.

It matters before anyone faces termination

These protections give you room to ask questions, raise concerns, organize with colleagues, advocate for change, and speak up about issues that matter to you and your institution.

What due process does

Requires the University to follow a process before acting — and gives you an opportunity to respond or challenge the action in defined circumstances.

What it does not do

It is not blanket protection from discipline, and not every workplace dispute or form of speech is legally protected.

HOW THIS GUIDE HELPS YOU

Recognize what’s happening

Match the notice in front of you to the process actually being used — and the rights that come with it.

Act before time runs out

Several key deadlines are only 20 days. Knowing them up front keeps your options open.

Get support early

Know when to bring in AFT-W or counsel, and what to have ready when you do.

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Three things to do first

Don't assume you have no rights. Before you respond, work through these steps.

01

Identify the notice

Investigation? Charges? Nonrenewal? Layoff? Suspension? Proposed separation?

02

Confirm your status

Faculty or academic staff? Tenured, probationary, term, or indefinite appointment?

03

Protect the deadline

Save the notice, preserve records, calendar the deadline, and contact AFT-W or counsel.

TWO COMMON TRAPS

Your job title may not answer the question

Titles such as lecturer, clinician, scientist, specialist, or visiting faculty don't necessarily establish whether you are legally classified as faculty or academic staff. Your appointment status determines which process applies.

An "informal" meeting isn't necessarily consequence-free

Where possible, ask what policy and process apply before responding substantively. Preserve the notice and related records.

KEEP IN MIND: FOUR THINGS TO KNOW

01

Know your status

Your appointment and classification determine which protections apply.

02

Know the process

Investigation, dismissal, nonrenewal, and layoff are different.

03

Know your voice matters

Protected speech, organizing, discrimination, and retaliation concerns can affect the analysis.

04

Know the deadline

Some rights disappear quickly. Certain deadlines are only 20 days.

SECTION 1 · FIND YOUR LANE

Which process are you in?

Different actions trigger different rights. Start with the label on the notice — then verify the policy being used.

PROCESS	WHAT IT MEANS	YOUR RIGHTS	DEADLINE
Investigation	Not a finding of wrongdoing.	Ask what process applies and request the allegations, policy, investigator, and timeline. You may have an advisor in the institutional disciplinary process. Preserve records and consult before a substantive interview when possible.	Act early
Dismissal for cause	A written statement of charges starts a formal process.	Tenured faculty — and probationary faculty dismissed before the end of the term — receive just-cause, notice, and hearing protections.	20 days to request a faculty hearing after notice of charges
Nonrenewal	Ending a probationary appointment is not the same as dismissal for cause.	You may request written reasons and reconsideration.	20 days, generally, for a limited appeal after reconsideration
Budget / program layoff	A separate statutory process — not a misconduct finding.	Notice is ordinarily at least 12 months before the effective date.	20 days to request a hearing after receiving the notice

SECTION 2 · WHEN DISCIPLINE IS ON THE TABLE

Investigation, charges, hearing

The earlier you understand the process, the easier it is to protect the record and preserve your options.

01	02	03	04
Investigation	Charges	Hearing	Regents decision

If you are being investigated

Ask	What process applies? What are the allegations? What policy governs?
Consult	Request reasonable time to speak with an advisor before answering substantively.
Preserve	Keep emails, texts, notes, calendars, and notices. Do not alter records.
Document	Keep a contemporaneous log of meetings and contacts.

An investigation is not itself a dismissal decision.

Title IX matters follow a separate track

Title IX-based faculty discipline uses the dedicated UWS 4.11–4.24 process. Don’t assume that ordinary non-Title IX deadlines or hearing mechanics apply.

If you receive charges

20

DAYS

General deadline to request a faculty hearing after notice of dismissal charges.

25 days if service is by first-class mail and publication.

Hearing	A standing faculty committee hears the matter.
Burden	The administration bears the burden to prove just cause.
Committee	Investigators, charging parties, and material witnesses cannot decide the case.
Final decision	If dismissal is recommended, the Board of Regents makes the final institutional decision.

Removal from duties is not automatic

Ordinarily, faculty should not be relieved of duties before a final dismissal decision. UWS 4.09 allows removal in defined circumstances where continued service may cause substantial institutional harm; pay ordinarily continues pending the Regents’ decision, subject to limited exceptions.

SECTION 3 · KNOW THE DIFFERENCE

Nonrenewal vs. budget/program layoff

These routes can look similar from the outside, but the procedures — and what can be challenged — are different.

	Probationary faculty nonrenewal	Budget / program layoff
WHAT IT IS	Not dismissal for cause. The appointment ends; the UWS 4 just-cause dismissal process does not automatically apply.	A budget/program action under Wis. Stat. §§ 36.21–36.22 — not a misconduct dismissal.
NOTICE	Upon a timely request, the decision-maker must provide written reasons within a reasonable time.	Must explain the reason and selection; ordinarily given at least 12 months before the effective date.
KEY PROTECTION	Reconsideration: you may request it and respond to the stated reasons.	Seniority: layoffs must follow seniority unless a clear and convincing case supports other program or budget considerations.
DEADLINE	If nonrenewal is affirmed, a written appeal is generally due within 20 days (25 days for first-class mail and publication).	A hearing request is due within 20 days.
WHAT'S REVIEWED	Limited in scope; the faculty member bears the burden.	Protected expression, discrimination, and improper selection — not the underlying program decision itself.

After a budget/program layoff

The University must use best efforts to identify alternative appointments, provide one year of financial assistance for feasible readaptation, and notify affected faculty of System openings. If reasonably comparable duties are refilled within three years, the laid-off faculty member has reappointment rights under the statute.

Protected speech, discrimination, and retaliation

Raise these concerns promptly and specifically in the applicable internal process. Separate constitutional, discrimination, retaliation, or whistleblower claims may have additional procedures and deadlines outside this guide.

SECTION 4 · KEEP THIS PAGE

Deadline cheat sheet

Calendar deadlines from the date you receive the notice — not from when you decide what to do.

Dismissal charges

20 days

Request a faculty hearing after notice of charges. 25 days if service is by first-class mail and publication.

Nonrenewal appeal

20 days

After reconsideration. 25 days if notice is by first-class mail and publication.

Faculty layoff

20 days

Request a hearing after receipt of the layoff notice.

Legacy Chapter 230 appeal

30 days

After the effective action or notice, whichever is later.

WHO ELSE MAY HAVE PROTECTIONS?

Academic staff

A term academic-staff appointment generally cannot be ended before the term expires without just cause, due notice, and hearing. Indefinite academic staff with permanent status have similar statutory protection.

Legacy classified employees

A narrow group of UW employees who held classified-service positions with permanent status on June 30, 2015 retained specified Chapter 230 protections.

BOTTOM LINE

Don't assume you have no rights.

Identify the action. Confirm your status. Preserve the record. Calendar the deadline.

Contact AFT-W or counsel promptly — before giving up rights you may have — and bring the notice and all accompanying materials.
