



Date: November 20, 2015

Memorandum to: David W. McLaughlin, Provost

From: Allen Mincer
Chairperson, T-Faculty Senators Council
A/Y 2015-2016

Subject: Non-disparagement clause in faculty retirement contracts

Dear Provost McLaughlin:

It was brought to the attention of the Executive Committee of the Tenured/Tenure Track Faculty Senators Council that NYU included in the retirement contract of an NYU faculty member a non-disparagement clause stipulating that the retiring faculty member agrees not to make statements that could be construed as critical of NYU.

We would like to inquire whether it is routine NYU practice to include such a non-disparagement agreement in faculty retirement contracts. We, therefore, wish to ask you the following questions and make a request:

Does NYU include in faculty retirement contracts a non-disparagement clause stipulating that faculty retirees agree not to make statements that could be construed as critical of NYU?

If such a non-disparagement clause is included in faculty retirement contracts, is it routinely included in all faculty retirement contracts?

If such a non-disparagement clause is included in faculty retirement contracts and the faculty retiree objects to its inclusion, does NYU agree to remove it from the retirement contract?

If such a non-disparagement clause is included in faculty retirement contracts, we are requesting a copy of that non-disparagement clause.

If you are not the appropriate person to whom to address these questions, can you tell us who is the appropriate person?

We thank you, and look forward to your reply.

Sincerely,

Allen Mincer on behalf of the T-Faculty Senators Council

cc:

Diane Yu
Ulrich Baer
Carol Morrow
Ellen Schall

Awam Amkpa
Arvind Rajagopal
Raghu Sundaram
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