

UNIVERSITY RULE

12.01.99.M4 Faculty Grievances Procedures not Concerning Questions of Tenure, Dismissal or Constitutional Rights

Approved February 22, 1999

1. INITIAL INFORMAL RESOLUTION EFFORT

Faculty members believing that they have cause for grievance concerning a matter not covered by the procedures described in the University's Statement on Academic Freedom, Responsibility, Tenure and Promotion, University Policy on Sexual Harassment, or in other Rules should discuss the matter in a personal conference with their department head. If the matter cannot be resolved by mutual consent at this point, the issue should be discussed in a personal conference with the dean. Some colleges may choose to have the college-wide committee, either standing or ad hoc, created for the purpose of reviewing such grievances to enter the process before the deans become involved.

2. SUBMISSION OF A FORMAL WRITTEN GRIEVANCE

Only after the grievant has engaged in informal personal conference(s) with the department head and the dean (unless the college chooses to have the college-wide committee enter the process before the dean becomes involved) and if the matter has not been resolved by mutual consent at the foregoing levels, the faculty member may send a formal letter of complaint to the dean requesting presentation of the complaint to the college-wide committee. (Grievances related to salary are addressed in Section 8 of this Rule.) The dean shall then refer the complaint to the committee. Within 28 working days from the receipt of the formal letter of complaint, unless in the meantime the issue shall have been resolved to the complainant's satisfaction, the committee shall hold a hearing of the complaint. The committee's decision shall be presented to the dean, as a recommendation, within 10 working days of the hearing. The dean shall issue a decision within 10 working days of receipt of the committee's decision.

3. PETITIONING THE UNIVERSITY GRIEVANCE COMMITTEE

If a resolution cannot be reached at the college level, the faculty member may petition the University Grievance Committee (UGC) for redress. (Grievances related to salary are addressed in Section 8 of the rule.) The UGC will not hear grievances that have not been heard by a college grievance committee. The faculty member shall submit the grievance to the UGC through the Dean of Faculties and Associate Provost.

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- 3.1 After consultation with the faculty member and the college grievance committee, the Dean of Faculties and Associate Provost will refer the grievance to the UGC. The following response times will apply after the case has been referred to the UGC. In each case, the time limit shall be in working days:
- 3.1.1 The Dean of Faculties and Associate Provost will have three days after receipt of such to refer the grievance to the UGC.
 - 3.1.2 The UGC has ten days to decide whether to hear the grievance.
 - 3.1.3 The UGC hearing subcommittee will have thirty days to investigate the grievance and write its report and recommendations.
 - 3.1.4 The Dean of Faculties and Associate Provost will have ten days to recommend action to the Provost.
 - 3.1.5 The Provost will have ten days to take final action and notify the Dean of Faculties and Associate Provost, the grievant and the grievant's dean and department head, the UGC chair, and the college grievance committee.
- 3.2 The petition shall set forth in detail the nature of the grievance and shall state against whom the grievance is directed. It shall contain all factual or other data that the petitioner deems pertinent to the case.
- 3.3 The UGC will have the right to decide whether the grievance merits a detailed investigation by the UGC. Submission of a petition will not automatically entail investigation or detailed consideration thereof. In determining whether to proceed to a detailed investigation, the UGC shall consider both the petition and the college grievance committee reports.

4. UGC FINDING OF INSUFFICIENT MERIT

If the UGC decides that the grievance has insufficient merit, (see 3.3), it shall so inform the Dean of Faculties and Associate Provost by means of a report containing reasons for the UGC's decision. Then the Dean of Faculties and Associate Provost shall in turn inform the grievant of the UGC finding.

5. UGC DETERMINES AN INVESTIGATION IS JUSTIFIED

If the UGC determines that a detailed investigation is justified, the petitioner will be

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provided an opportunity to present his or her case.

6. UGC RECOMMENDATION OF ACTION

The UGC hearing subcommittee shall recommend to the Dean of Faculties and Associate Provost through the chair of the UGC an appropriate course of action. The Dean of Faculties and Associate Provost shall forward the UGC recommendation to the Provost together with his or her recommendations.

7. COMPOSITION OF THE UGC

The composition of the UGC will be as follows:

- 7.1 The faculty of each college and the libraries shall elect from their tenured faculty a representative to serve on the UGC. The term of office shall be two years. Terms begin on September 1.
- 7.2 The UGC shall elect from their membership a chair and vice chair/secretary. The UGC shall use a rotational system for assigning members to a five person hearing subcommittee with none of the subcommittee members being from the college of the grievant.
- 7.3 No administrative officer shall serve on the UGC. For purposes of this Rule, administrative officer is defined as department head, dean, director, Vice President, Provost or any variation thereof.
- 7.4 Once assigned to a specific case, the membership of the hearing sub-committee remains as originally constituted and the subcommittee must complete its responsibilities as to that specific case. In the event that the term of office on the UGC will expire for any member of the subcommittee before completion of the case, the term of office for that member shall be extended for the purpose of completion of the case.
- 7.5 The chair may appoint from UGC membership necessary replacements for hearing subcommittee vacancies.
- 7.6 A quorum for the UGC shall be seven members and a quorum for a hearing subcommittee shall be four members.
- 7.7 All UGC hearings and subcommittee hearings will be recorded. The hearing shall be closed unless the faculty member requests otherwise.

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8. SALARY GRIEVANCES

The Rule for addressing salary grievances will be as follows:

- 8.1 Salary grievances are to be handled primarily through administrative appeal. A faculty member who wishes to file a salary grievance should first have a personal conference with his or her department head. If the result of that conference is not satisfactory to the grievant, he or she may appeal to the college dean. If the dean's decision is not satisfactory to the grievant, an appeal may be taken to the Dean of Faculties and Associate Provost, who will act as ombudsperson in attempting to resolve the case through discussions with the college dean and the grievant. Once the appeal reaches the level of the Dean of Faculties and Associate Provost, either the grievant or the Dean of Faculties and Associate Provost may choose to have an ad hoc faculty committee appointed to advise the Dean of Faculties and Associate Provost.
- 8.2 The ad hoc faculty committees shall be appointed by the Dean of Faculties and Associate Provost and be comprised of three faculty members normally chosen from within the grievant's college. Prior to convening, the grievant may request the Dean of Faculties and Associate Provost to remove a member for cause. In relation to such a request, the decision of the Dean of Faculties and Associate Provost will be final. The committee's rules of operations are delineated below:
- 8.2.1 The grievant will provide a written statement of the basis for his or her appeal, and the committee will then decide whether the grievance merits a detailed investigation. If so, the grievant will have the opportunity to meet with the committee. If such an investigation is undertaken the committee will determine what materials it needs for the investigation. Materials which may be consulted include (but are not limited to) a salary history of the grievant in comparison with other members of the department and a curriculum vitae for the grievant as well as for other members of the department as deemed necessary.
- 8.2.2 The recommendation of the committee, including a description of the committee's proceedings and reasons for its recommendation, will be reported to the Dean of Faculties and Associate Provost and to the grievant.
- 8.3 The Dean of Faculties and Associate Provost will report his or her decision to the grievant. If procedures in 8.1 and 8.2 do not produce a resolution acceptable to the grievant, the grievant may make a final appeal directly to the Provost, who will

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review the case both procedurally and substantively before making a decision.

- 8.4 The appeal process should normally be completed within a single fiscal year and should be handled as expeditiously as circumstances permit.

OFFICE OF RESPONSIBILITY: [Dean of Faculties](#)

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