REPORT FOR THE UNIVERSITY SENATE

University Senate Committee: Faculty Complaint, Grievance, and Termination Review Committee (FCGTRC)

Brief History of Issue - why the issue is being considered:

The existing language in the FASRP regarding the faculty grievance has language that is inconsistent with another section of the FASRP. Also, it has language that is unclear and has created issues for the FCGTRC, the Grievance Subcommittee, and the parties involved when a grievance is filed.

Points Discussed by Committee:

1) The number of the FCGTRC members?
2) What are the FCGTRC’s and Grievance Subcommittee’s responsibilities?

Pros of Recommendation:

1) Resolves the confusion in the existing language for the FGCTRC.

Cons of Recommendation:

Technology/Human Resource/Workload Impact:

Changes to the FASRP

Committee Recommendation:

Amend the FASRP in Part III, Article Five, Section B-4, a & c.
MOTION FOR THE UNIVERSITY SENATE

The Faculty Complaint, Grievance, and Termination Review Committee

by a vote of _12___ for to __0__ against on ___9/29/2021_____________ (Date)

Amend the FASRP in Part III Article 5: Personnel Policies and Procedures, Section B.- Faculty Personnel Policies and Procedures, 4.Faculty: Complaints and Grievance, a. Faculty: Complaint and Grievance Committee (pp. 75-78) to read as follows:

a. Faculty: Complaints and Grievances

The local standing committee to act as a hearing agent for UWS 6.01 and 6.02 shall be the Faculty Complaint, Grievance, and Termination Review Committee which shall consist of 18 15 tenured faculty members elected by the faculty. Each member shall be elected for a three-year term with six five terms expiring each year. The committee shall meet and elect a chair and a vice-chair at the beginning of each academic year. (US 2/18, 10/21)......

Five members from those remaining shall be selected by lot to form a subcommittee to consider the particular complaint or grievance in question. If more than 13 10 members of the Faculty Complaint, Grievance, and Termination Review Committee are disqualified from or, because of an official leave, are unable to participate in the consideration of a particular complaint or grievance, the committee shall be increased to five members for consideration of the particular complaint or grievance in question. In those rare cases where further members are still needed, they shall be selected by the University Senate Executive Committee from eligible members of the faculty at large. (US 11/03, 10/21)

......

Any faculty member wishing to make a grievance may submit a written statement of his/her grievance to the chair of the Faculty Complaint, Grievance, and Termination Review Committee. The written statement of the grievance must be submitted within 300 days after the faculty member knew or reasonably should have known of the action or omission out of which the grievance has arisen, unless there are extenuating circumstances. The chair and the vice chair will then convene the committee meeting and select by lot the five members who would sit on the Grievance Subcommittee. If both the chair and the vice chair are disqualified, they will request a member of the committee who is not disqualified to convene the meeting. (US 10/08, 10/21)

The committee subcommittee will determine whether it wishes to take formal action on the grievance or appoint a member or members of the committee subcommittee to attempt informally to resolve the grievance in consultation with the parties involved. If the grievance is not resolved to the satisfaction of the faculty member involved, the faculty member may request a formal hearing. The committee subcommittee shall
then meet as a formal body, conduct hearings, consider the validity of the grievance, and compile a final report. (US 10/21)

The hearing shall be conducted as follows: The committee-subcommittee shall notify the parties involved of the specific contents of the written statement of the grievance as submitted to the Chair of the Faculty Complaint, Grievance, and Termination Review Committee by the faculty member bringing the grievance. The notice shall also inform each of the parties involved of his/her right to request an open hearing and/or to present a written statement for consideration by the committee. Each of the parties involved may also select witnesses to appear before the committee on his/her behalf. (US 10/21)

The hearing shall be restricted to consideration of the issue(s) identified in the initial written statement of the grievance. The final report shall evaluate the grievance and recommend appropriate administrative action. The report shall be sent to the chancellor with a copy to the faculty member making the request. If the committee-Grievance Subcommittee makes recommendations to the chancellor, the chancellor shall act on the recommendations within 30 days. The decision by the chancellor on the recommendation of the committee-subcommittee, or on the grievance in the absence of committee-subcommittee recommendation, shall be final except that the Board of Regents, upon petition of a grievant or the committee, may grant a review on the record. (US 10/21)

Implementation Date: Upon publication of the January 2022 FASRP

Signed: _______ Geoff Peterson__________________________________________
        Chair of the Committee

Send to: University Senate Office