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Revised Faculty Grievance Procedures

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Approved by the Senate: 10/19/2004
Not Approved by the Senate:
Approved by the President: 10/28/2004
Not Approved by the President:

Revised Faculty Grievance Procedures

Submitted by Marc Cyr

9/23/2004

Motion:

That the current section "219: Grievance Procedures" in the Faculty Handbook be replaced with the revised version of that section now before the Senate

Rationale:

At the request last spring of President Grube and the Faculty Grievance Committee, the Senate Executive Committee appointed an ad-hoc committee to review and revise grievance procedures as authorized by University Statutes Article IV, section 4. The committee's proposal (attached) contains numerous changes from the the current procedures. The committee feels that to list them all would bring fog, not light to the issues. We also feel that attempting to identify and thus highlight "key passages" could perhaps distract attention from sections not so highlighted but of equal, maybe larger import. We therefore request that senators -- indeed, all faculty -- read the entire proposed revision without our further mediation beyond suggesting that it might be of value to compare our proposals to the procedures currently in the Handbook.

SEC Response:

Rice Jenkins reported that the SEC voted to put the first three of these items on the agenda of the current meeting. The agenda item submitted by Linda Bleicken (item #4)

was intended to be a request for comments and does not require a Senate vote. Rice Jenkins noted that it, too, was placed on the agenda.

Senate Response:

To Dr. Grube for his approval: I am pleased to report that the Senate recommends approval of the motion below presented by Dr. Michael Moore, on behalf of Dr. Marc Cyr, at the October 19, 2004, Faculty Senate meeting.

Motion: That the current section "219: Grievance Procedures" in the Faculty Handbook be replaced with the revised version of that section now before the Senate.

Rationale: At the request last spring of President Grube and the Faculty Grievance Committee, the Senate Executive Committee appointed an ad-hoc committee to review and revise grievance procedures as authorized by University Statutes Article IV, section 4.

The committee's proposal (attached) contains numerous changes from the current procedures. The committee feels that to list them all would bring fog, not light to the issues. We also feel that attempting to identify and thus highlight "key passages" could perhaps distract attention from sections not so highlighted but of equal, maybe larger import. We therefore request that senators -- indeed, all faculty -- read the entire proposed revision without our further mediation beyond suggesting that it might be of value to compare our proposals to the procedures currently in the Handbook. Motion by Michael Moore on behalf of Marc Cyr, "Revised Faculty Grievance Procedures":

Michael Moore (COE, Senate Librarian) moved that Section 219 of the Faculty Handbook entitled "Grievance Procedures" be replaced with the revised version developed by a committee for the purpose and chaired by Marc Cyr. The motion was seconded and Rice Jenkins noted that the Revised Grievance Procedures had been posted on the web for some time so that everyone should have a copy available. She then asked for discussion. Debra Sabia asked about salary grievance procedure under the revised policies.

Marc Cyr, speaking from the gallery, noted that Section A-6 of the Revised Grievance Procedures put in writing a previously unwritten agreement that existed between former Provost Vandegrift and the Faculty Grievance Committee (FGC) insofar as grievances having to do with salary are concerned. Grievances of the "I'm worth more than you are paying me" variety are not considered by the FGC. Salary issues that are collateral with

other grievances where practices, procedures, or established criteria have not been followed can be appealed to the FGC.

Sabia asked who makes the decision that a grievance is of one type or another. Cyr replied that this determination would be made by the Chair of the FGC. Virginia Richards (CHHS) stated that she wanted to change the second sentence of Section B-3 of the Revised Grievance Procedures from "An individual may be reelected to an unlimited number of successive terms," to "An individual may be reelected after a one-year break in service." Rice Jenkins asked if she wanted to offer a friendly amendment, file a motion to amend, or ask for some discussion about the genesis of the original sentence. Richards asked for discussion. Richards stated that most committees had term limits for elected members and she was surprised that this one did not. Marc Cyr replied that term limits were also suggested by the President and Provost. Cyr said that the need for continuity on the committee overrode the arguments for term limits. Clara Krug, Chair of the FGC and speaking from the gallery, said that it was very difficult to find people who wanted to serve on this committee and that there were presently several vacancies. Krug asked if Marilyn Bruce (President's Office) could be recognized and Bruce confirmed that she had great difficulty in finding people to serve on the FGC. Krug went on to say that, when the committee does consider a grievance, the work is very time-consuming and that is another reason why this is not a popular committee. Krug said, finally, that all meetings of the FGC are confidential, no minutes are kept, and the only record of the proceedings was audio tapes whose location is known only to the Chair of the FGC. Rice Jenkins then asked Virginia Richards if she still wanted to make a motion. Richards moved to amend the Revised Grievance Procedures Section B-3 second sentence to read, "An individual may be reelected after a one-year break in service."

The motion was seconded and Rice Jenkins asked for further discussion. Debra Sabia argued against term limits saying that, if a FGC member was not doing a good job, he/she could be voted out. Mark Edwards pointed out that, since no minutes were kept of the work of the committee, there was no way for a voter to tell whether a member was doing a good job or not. Mike Moore said that a voter could decide on a candidate's suitability for sitting on the FGC by whether they would represent faculty fairly and that there was no need to sift through minutes of meetings. Richard Flynn argued against tinkering with a document that had been carefully considered by the committee that drafted it. Trying to revise the document on the floor of the Senate was a bad idea. Candy Schille concurred and said that term breaks were trumped by continuity concerns. Rice Jenkins, hearing no further discussion on the Richards amendment to the Moore motion, called for a vote. The motion failed by voice vote. Rice Jenkins then

called for a vote on the original motion made by Michael Moore. The motion passed by voice vote.

President's Response:

Response From Dr. Grube: Following review of the recommendation adopted by the Faculty Senate at the October 19, 2004, meeting, as provided in your memo of October 27, 2004, that the current section "219: Grievance Procedures" in the Faculty Handbook be replaced with the revised version of that section now before the Senate.

Please convey the University's appreciation to Dr. Marc Cyr and the members of the committee for their work in producing this new version of the Grievance Procedures. Dr. Bleicken will see to the immediate electronic publication of this document.

[Grievance Procedures](#)

[Dr. Grube to Dr. Rice Grievance Procedures](#)