

Faculty Grievance Committee

Minutes March 25, 2011

Sun Room, Waul Hall

Four members of the Faculty Grievance Committee (FGC) informally met with Vice Provost for Faculties Patricia De Leeuw to learn about the operation of the FGC. Present were Robin Wood (CSON), Marilyn Johnson (History), Joe Tecce (Psychology) and Michael Clarke (Chemistry). Some present indicated that they had been approached by potential faculty grievants and needed guidance as to how to proceed

Vice Provost De Leeuw presented the broad types of grievances that generally came to the committee and indicated that in some years there were no grievance petitions. Vice Provost De Leeuw related how she advised those approaching her with grievances. She discussed the process with them and often referred them to the appropriate dean or the FGC. In her experience, many faculty choose not to petition the FGC after learning that the FGC is advisory and can only make recommendations to resolve faculty grievances.

There was a general discussion as to how the FGC has operated and if there were precedents, of which the current FGC should be aware. Vice Provost De Leeuw referred the group to prior FGC chairs. Demetrius Iatridis had the longest tenure as chair and more recent chairs have been (in sequence) Bill Keane (Math), Arthur Madigan (Phil) and last year's president, Paul Davidovits (Chem).

The discussion included the following:

- The definition of "faculty" in the University Statutes (II.1) limits grievances to those coming from tenured or tenure track faculty, instructors and visiting professors, but excludes those from adjunct and part time faculty. Following a letter concerning this from Vice Provost De Leeuw (see Appendix), which was received after the meeting, it was clear that there is no mechanism for full-time and part-time non-tenure-track faculty to bring grievances before a peer committee.
- The FGC can be petitioned (II.11.C.1) with respect to promotion, non re-appointment and to changes in faculty status that are not covered by the Review Committee, which handles petitions regarding tenure and promotion within the tenure track (II.11.B.2). The FGC can also be petitioned with respect to salary and benefits.
- Whether the point of entry for a grievance should be through a member of the FGC or the chair of the FGC and whether or not this should be in writing.

- There was a discussion of what it means to have “exhausted other internal remedies” (II.11.C.1).
- Many faculty did not appear to know that the FGC existed, how it operates, or how to approach it.
- The extent to which the university responded to FGC recommendations.
- Whether alternates participated in votes of the FGC.
- Vice Provost De Leeuw did not recall any issues regarding academic freedom having been brought to the FGC. It was noted, that while the statutes guarantee “academic freedom”, the term is not defined in the statutes.

Following Vice Provost De Leeuw’s departure, those present discussed whether alternates should vote, the point of entry question, the functional definition of having “exhausted other internal remedies”, and the desirability of posting a basic guideline procedure for grievants.

The meeting reached consensus that:

- 1) Alternates should vote in FGC procedures, for which there may be precedent.
- 2) A faculty grievant could approach any member of the committee with respect to the grievance process, but that the discussion should be limited as much as possible to process in order to avoid a potential conflict of interest and so that all members of the committee would have equal access to information involved in the grievance. The grievant would then be directed to the FGC chair, who may indicate that the grievant submit a written petition to the FGC.
- 3) The phrase having “exhausted other internal remedies” was taken to normally mean that the grievant had reached the decanal level without having felt the grievance had been adequately addressed.
- 4) The FGC should schedule a meeting with previous FGC chairs to learn about general issues that have arisen.
- 5) Preliminary wording concerning the operating procedure for initiating a grievance should be drafted and circulated for approval by the FGC for posting on the BC website.

Professor Clarke was requested to convene the next FGC meeting and to draft the procedure, which is provided below. Professor Johnson volunteered to look for a web-based scheduling module that would facilitate the scheduling of FGC meetings.

As only 50% of the total FGC membership was present, an election for chair was not held.

Procedure for Approaching the FGC with a Grievance: Any faculty member, as defined by the University Statutes II.1, may approach any member of the FGC to discuss the operation of the FGC and the process for filing a grievance. This discussion should focus on the grievance procedure, rather than the merit of the grievance. Grievance petitions are not accepted by the FGC until all other internal remedies have been tried. This usually means that the grievant has previously petitioned the appropriate academic dean. The grievant may then wish to discuss the grievance with the FGC chair before submitting a written petition. [Approved 4/13/11].

Respectfully submitted to the FGC,
Michael J Clarke
Temporary Convener
Approved by FGC: April 13, 2011