

 <p>Policies of the University of North Texas Health Science Center at Fort Worth</p>	<p>Chapter 6 Academic and Faculty Affairs</p>
<p>6.106 Faculty Grievance and Appeal</p>	

Policy Statement and Purpose.

It is the policy of HSC to encourage fair, efficient, and equitable solutions for professional conflicts, and to prompt, fair and equitable treatment of all faculty. HSC provides a formal, internal process for the good faith resolution of employment-related grievances to meet the requirements of State and federal law.

Application of Policy.

All HSC faculty

Definitions.

1. Faculty Grievance and Appeal Committee (FGAC). “Faculty Grievance and Appeal Committee” means a committee of faculty members at the rank of associate professor or professor who are elected from each school/college. The membership, duties, and responsibilities of this committee are set forth in the Faculty Bylaws.

2. Grievance. “Grievance” (also referred to as an “appeal”) means a faculty member’s formal expression of disagreement or dissatisfaction with work related concerns such as working conditions, hours of work, compensation, environment, or relationships with supervisors and other employees. This term does not include complaints related to discrimination or harassment prohibited under HSC’s nondiscrimination policy.

Policy and Responsibilities.

1. Grievances Relating to Non-Reappointment, Denial of Tenure or Promotion and Termination
 - a. Upon notification of a negative decision of non-reappointment, denial of tenure, denial of promotion, or termination, a faculty member may appeal the decision. The appeal must be submitted to the Provost office, in writing, no later than 10 working days after written receipt of the negative decision, stating the specific reasons for the appeal. The Provost (or designee) will forward the appeal to the Faculty Grievance and Appeal Committee (FGAC). For purposes of the appeal, the faculty member will be afforded immediate access to all documents relevant to the personnel decision.

 - b. Upon receipt of the appeal, the FGAC will hold a hearing within a reasonable time period. The HSC will have the burden to show by the greater weight of the credible evidence that the negative decision was based on legitimate business reasons. Hearing procedures will be consistent with state and federal laws, UNT System

Regents Rules, and HSC policies. The hearing will be recorded, and the faculty member may be provided a copy of the audio recording upon request.

- c. After conclusion of the hearing, the FGAC will make findings regarding whether the decision was in violation of state and federal laws and/or HSC policies. The FGAC will forward a written recommendation to the Provost with a copy to the faculty member. The FGAC's written recommendation shall state whether to accept, reject, or modify the negative decision. The committee should provide details regarding a recommendation to modify the negative decision.
- d. The Provost will review the FGAC's recommendation along with all submitted materials and the recording of the hearing. The Provost will notify the candidate in writing of his or her decision, with a copy to the FGAC. The decision of the Provost is final except for cases of promotion and tenure decisions and the revocation of tenure. In these cases, the Provost will make a recommendation to the President, with a copy to the faculty member. In cases of tenure revocation, the President will make a recommendation to the Board of Regents through the Chancellor.

Responsible Parties: Board of Regents, Chancellor, President, Provost, FGAC, Faculty

2. Grievances Relating to Other Working Conditions.

- a. A faculty member may file a grievance with the appropriate department chair concerning decisions that directly affect working conditions.
- b. A faculty member and department chair will meet first to try and resolve the grievance.
- c. If no mutual resolution is reached, the faculty member may submit a grievance to the dean for review.
- d. The dean will provide a written decision to the faculty member. The decision may accept, reject, or modify the department chair's decision.
- e. The faculty member may grieve the dean's unfavorable decision to the Provost. The Provost may review the dean's decision and provide the faculty member with a written final decision.
- f. The Provost may elect to refer the matter to the FGAC for review. In cases when the grievance is referred, the FGAC will complete a hearing within a reasonable time period.

Responsible Parties: Provost, Dean, FGAC, and Faculty

Reference.

Applicable Laws, Rules and Regulations:

TEX. EDUC. CODE §§ 51.942, 51.960; TEX. GOV'T CODE § 617.005

Related Policies and Procedures:

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Revised: Date

Next review due on or before: May 31, 2021

Policy Owner: Provost and Executive Vice President

Subject Matter Specialist: Provost and Executive Vice President