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UNT | HEALTH SCIENCE CENTER

OFFICIAL INSTITUTIONAL PROCEDURE

PROCEDURE NAME (R*)	EFFECTIVE DATE (R*)	PROCEDURE NUMBER (R*)
Faculty Grievance and Appeal	9/1/2019	P6.006

PROCEDURE STATEMENT (R*)

UNTHSC provides a formal, internal process for the good faith resolution of employment-related grievances to meet the requirements of State and federal law.

REASON FOR PROCEDURE (O*)

Outline Faculty Grievance and Appeal Steps per policy 6.006

AREAS OF RESPONSIBILITY (R*)

Office of Faculty Affairs – responsible for stewarding this procedure

Faculty Grievance and Appeals Committee – responsible for review of assigned grievances

PROCEDURE DETAILS (R*)

1. General Principles

   1.1. The grievance and appeal process will be confidential to the extent authorized under state and federal law.
   1.2. A grievance may also be referred to as an appeal. For the purpose of this procedure, these terms are interchangeable.
   1.3. The purpose, composition, and procedures of the Faculty Grievance and Appeal Committee is outlined in the Health Science Center Faculty Bylaws. Clarification or questions pertaining to the operating procedures of the committee will be directed to the Office of Faculty Affairs.
   1.4. The Office of Faculty Affairs will be responsible for maintaining files regarding grievances filed and their ultimate disposition. The Office will also provide administrative support for grievances.
   1.5. The timeframes referenced in the policy and procedure are included as guidance only.

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2. Grievance related to Non-Reappointment, Denial of Tenure, Denial of Promotion and Termination

2.1. Grievances involving non-reappointment, termination, or denial of promotion or tenure will be addressed in this section of the Grievance and Appeal procedure. All other appeals will normally be addressed in the section related to other working conditions.

2.2. The following serves as guidance for the Grievance/Appeal process:

2.2.1. The faculty member will send a letter stating the reason for their grievance to the Provost within 10 working days of being notified of non-reappointment, denial of tenure, denial of promotion or termination. The Provost will forward the grievance to the Office of Faculty Affairs and the Chair of the Faculty Grievance and Appeal Committee (FGAC).

2.2.2. The Office of Faculty Affairs will identify any documents relevant to the grievance and make them available to the faculty member.

2.2.3. The chair of the FGAC will work closely with the OFA on the grievance hearing procedures.

2.2.4. A date, time and location for a hearing will be identified and communicated to all parties involved (faculty member, individual who the grievance is against, and the FGAC). Parties will be notified at least 21 working days prior to the hearing.

2.2.5. The faculty member or the individual receiving the grievance may challenge, in writing, to the Grievance and Appeal committee chair, the ability of a committee member to serve fairly or objectively. The challenges are to be submitted at least 15 working days prior to the date of the hearing. Neither party involved shall have the right to disqualify a member from service who is in good standing as a faculty member. If the member voluntarily disqualifies himself or herself, then the elected alternate will serve on the committee. If the member does not voluntarily disqualify himself or herself, the Grievance and Appeal committee chair and the Office of Faculty Affairs will review the matter and decide whether the committee member will serve on the committee for that particular grievance. If it is determined the committee member should be removed and alternate will serve.

2.2.6. Each party will provide written evidence, supporting their case, to the OFA 10 working days before the hearing. All evidence must be relevant to the grievance. All evidence will be shared by the OFA with both parties and the FGAC. Evidence will be considered confidential and will be shared through a secure mechanism.

2.2.7. The hearing will be recorded and use the following agenda

2.2.7.1. Grievant presents his/her case including witness statements (max 1 hour)

2.2.7.2. Respondent presents his/her case including witness statements (max 1 hour)

2.2.7.3. Questions and answers from the two parties and committee (no set time limit. Time as needed to ensure the grievance will be resolved)

2.2.7.4. Respondent summary statement (15 min)

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2.2.7.5. Grievant summary statement (15 min)

2.2.8. After the hearing both parties are dismissed and the recording is stopped. The committee will discuss the grievance and generate a written recommendation. The chair will vote only to break a tie. The recommendation will be forwarded to the provost. Refer to the policy for who will make the final determination on the grievance.

3. Grievances Related to Other Working Conditions

3.1. An appeal pertaining to the administrative procedures associated with working conditions unrelated to promotion, tenure or termination be addressed using this section of the grievance and appeal procedures.
3.2. The faculty member submits the grievance in writing to his/her Department Chair, and requests a meeting with the Chair.
3.3. The Department Chair will schedule a meeting with the faculty member within one week.
3.4. If the grievance is not resolved to the satisfaction of both the faculty member and Chair, then the faculty member may submit the grievance to the Dean. The faculty member must submit the grievance to the Dean within two weeks of the meeting with the Chair.
3.5. The Dean will provide a written response to the faculty member within two weeks of receiving the grievance. The Dean is encouraged to meet with the faculty member and Chair prior to sending his/her response. The Dean may accept, reject or modify the Department Chair's decision.
3.6. If the faculty member is not satisfied with the decision from the Dean, he/she may submit a written grievance to the Provost. The appeal must be submitted in writing within two weeks of receiving the decision from the Dean.
3.7. The Provost will review the Dean's decision and the written appeal. Within two weeks of receiving the appeal, the Provost will either provide a written final decision on the grievance to the faculty member, Dean, and Department Chair or submit the grievance to the chair of the FGAC and copy the Office of Faculty Affairs.
3.8. The chair of the FGAC, working with the Office of Faculty Affairs, will initiate a hearing as described in section 2.
3.9. The recommendation from the FGAC will be sent to the Provost who will make the final decision. The Provost will send the final decision to the faculty member, Dean, and Department Chair.

RELATED INFORMATION (O*)

Policy 6.006, Faculty Bylaws (www.unthsc.edu/academic-affairs/faculty-affairs/bylaws-of-the-faculty/)
Policy 6.004
Policy 6.005

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DEFINITIONS (O*)

FGAC – Faculty Grievance and Appeal Committee
OFA – Office of Faculty Affairs

FORMS/ONLINE PROCESSES (O*)

Faculty Bylaws www.unthsc.edu/academic-affairs/faculty-affairs/bylaws-of-the-faculty/
FGAC www.unthsc.edu/academic-affairs/faculty-affairs/faculty-grievance-and-appeal-committee/

HISTORY (R*)

Revision Date(s): 08/30/2019, 07/28/2020
Reviewed Date(s): Include date of last review.

Provost Initials: DS CTT

ADMINISTRATIVE AUTHORITY (R*)
Provost and Executive Vice President

RESPONSIBLE UNIVERSITY DEPARTMENT/DIVISION (R*)
Office of Faculty Affairs
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***R = Required** ***O = Optional**