

## **UH Faculty Grievance Policy**

The University of Houston requires that all faculty members be treated fairly and consistently in all matters related to their employment. The university provides faculty with the right to express their grievances through informal and formal avenues. Retaliation in any form against any faculty member for presenting a grievance is prohibited and may it-self be grieved.

This grievance policy applies to all faculty members as well as librarians of the University of Houston Libraries. This policy does not address allegations of sexual misconduct, which includes sexual harassment. (Please see the University's Sexual Misconduct Policy, SAM 01.D.08, which defines and describes prohibited sexual misconduct and establishes a mechanism for processing complaints of sexual misconduct.) This policy does not address allegations of unlawful discrimination and harassment. Complaints based on unlawful discrimination and harassment and sexual misconduct should not be filed with the UGC.

Please refer to the University's Discrimination and Harassment Policy, SAM 01.D.07, which defines and describes prohibited discrimination and harassment and establishes a mechanism for processing complaints of discrimination and harassment. Complaints alleging unlawful discrimination and harassment should be filed in accordance with the University's Discrimination and Harassment Policy, SAM 01.D.07. Please see the [EOS website](#) for further information on issues of unlawful discrimination, harassment and sexual misconduct.

The UGC does not conduct audits, nor does it review programs or consider other concerns related to the larger practices and structures of the university. This policy applies to grievances related to an individual faculty member's employment at UH including matters relating to salary, hours and conditions of employment, promotions, assignment of teaching duties, allotment of resources and facilities. The UGC cannot hear cases unrelated to the scope of its duties. The UGC is an advisory body that makes recommendations to the Provost; it does not have the authority to enforce its recommendations.

Procedures governing the submission, review, investigation and hearing of grievances concerning tenure and promotion are distinct from this grievance process. Procedures governing grievances concerning tenure and promotion may be found on the [University Grievance Committee \(UGC\) website](#) or in the [Faculty Handbook](#).

### **Procedures**

This policy specifies a multilevel process for redress of grievances from full-time faculty members and librarians. A faculty member must first address the grievance through an informal process. Most grievances will be resolved at this level. If the grievance is not resolved informally, a faculty member may then initiate a formal grievance process. Under the formal process, a faculty member must first file a formal grievance with the appropriate party (dean, college-level grievance committee, or UGC). If the faculty member is not satisfied with the

resolution of the grievance at the college level, s/he may appeal the recommendation. At all stages of grievance and appeal, documents and meetings will be held confidentially; all parties to the grievance—grievant(s), respondent(s), administrators, and grievance committee members—must maintain strict confidentiality at all times. Procedures governing the submission, review, investigation, and hearing of grievances submitted to the UGC may be found on the [UGC website](#) or in the Faculty Handbook.

#### A. Informal Process

1. A faculty member must first attempt to resolve his/her grievance informally through discussions with appropriate administrative individuals such as the department chair or the dean.
2. If these initial discussions do not resolve the grievance, the faculty member must next consult the Faculty and Staff Ombudsperson, for advice and a possible process to address the grievance informally. The role of the Ombudsperson is outlined in the Faculty Handbook.

#### B. Formal Process

##### 1. Formal Grievance Initiation

If the two-step informal process outlined in Section A above does not resolve the grievance, then the faculty member may initiate a formal grievance process, as outlined here. Faculty members should follow the process of grievance available to them in their respective departments, colleges, or schools; the process outlined below is the minimum process required in each college or school.

Each college must have a written grievance process and a standing committee elected by the faculty. The college-level grievance committee must consist of at least three tenured faculty members and have a majority of tenured faculty members, who must be elected by the full-time faculty of the college according to its own published procedures. No member of the administration—including deans, assistant or associate deans, and department chairs—are eligible for membership on the committee. Each grievance committee must include one alternate member who is a senior non-tenure-track faculty member and who will participate if a grievance is filed by a full-time, non-tenure-track faculty member (*Note: this provision envisions this grievance policy extending to full-time, promotion-eligible non-tenure track faculty members once the new non-tenure track policy has been fully implemented in Fall 2017*). Committee members will be recused from hearing any grievances in which they are personally involved or in which they were involved at a previous level of review. The committee will establish its own procedures in keeping with its college constitution and bylaws and consistent with due process and fairness.

A faculty member must file an initial grievance within sixty working days of discovering the problem or circumstances at issue. S/he should first submit a written formal grievance to his or her dean. If the grievance is against the dean, the faculty member should submit the formal grievance to the chair of the college-level grievance committee. Grievances filed during summer months (June, July, or August) will be taken up during the following fall semester.

The grievance filed with the dean or college-level grievance committee must take the form of a written statement that includes the names of the parties involved in the grievance, details regarding the specific issues and actions upon which the grievance is based, the desired outcome or remedy, and documentation supporting all charges involved in the grievance. When the grievant appears before the college-level grievance committee, s/he may discuss the grievance personally or have a representative accompany him/her.

Deans and college-level grievance committees must provide recommendations and decisions in writing, with appropriate supporting detail, and transmit them promptly to the parties in the dispute. The dean must issue a decision within twenty working days of receiving a formal grievance; if no decision is issued within that timeframe, the grievant may submit the grievance in writing to his/her college-level grievance committee within ten additional working days. The college-level grievance committee must issue a decision within thirty working days after the grievance is formally submitted to it; if no decision is issued within that timeframe, the grievant may submit the grievance to the UGC within ten additional working days.

If a dean finds a college-level grievance committee's recommendation unacceptable or impossible to implement, s/he must state this in writing and transmit their statement to the grievant, the respondent(s) and the college-level grievance committee within ten working days of receiving that committee's initial recommendation.

## 2. Grievance Decision Appeals

Either party may appeal decisions made at the college or school level. When a grievance is initially filed with the dean, it may be appealed to the college-level grievance committee; when a grievance is filed with a college-level grievance committee, it may be appealed to the UGC. When submitting a grievance to the UGC, a grievant must indicate whether or not the grievance has been heard at a lower level. The grievant must also provide the UGC with documentation of the final decision/outcome at the lower level to be included as part of the initial review of the grievance by the UGC. The UGC will determine whether it is the appropriate level for redress of all grievances submitted to it. UGC committee

members are recused from hearing any grievances in which they are personally involved or in which they were involved at a previous level of review. The UGC is the final body of hearing and appeal; there is no further appeal of its recommendations to the Provost.

a. Appeal of Dean's Decision

If a party wishes to appeal the dean's decision, s/he must submit the appeal in writing to his/her college-level grievance committee within ten working days of receiving written notification from the dean. If the grievant does not appeal within these time limits, s/he waives the right to further consideration of that grievance. College-level grievance committees must address appeals within the timeframe stipulated in Section B.1 above. When the college-level grievance committee is not the appropriate level for an appeal, a party may submit the appeal directly to the UGC.

b. Appeal of Recommendations from a College-Level Grievance Committee

If a party is not satisfied with a recommendation from the college-level grievance committee (or the dean's statement of unacceptability or impossibility) and wishes to appeal it, s/he must submit the appeal in writing to the UGC within ten working days of receiving written notification of the college-level decision. If s/he fails to appeal within these time limits, s/he waives the right to further consideration of that grievance or appeal.

Procedures governing the submission, review, investigation, and hearing of grievances submitted to the UGC may be found on the [UGC website](#) or in the Faculty Handbook.