

## Faculty Grievance Committee

### 2012-2013 Annual Report

#### Membership

Mirabelle Fernandes-Paul, Chair '14 Women's Center  
Staci Simonich '13 Environmental & Molecular Toxicology  
Alan Bakalinsky '14 Food Science & Technology  
Wendy McKenna '15 Human Development and Family Sciences  
Terry Reese '15 The Valley Library  
Executive Committee Liaison – Peg Herring

#### Summary of Activities

A total of two university faculty members contacted the Chair of the Faculty Grievance Committee to determine whether a grievance procedure was the appropriate option to resolve the job related problems or issues.

The first was a member of the Office of Equity and Inclusion (OEI) enquiring about how the Faculty Grievance Committee handles possible conflict of interest issues. Her question specifically was about what happens if a faculty member wishes to file a grievance with the committee, and one of the committee members is a faculty member in the same department as the grievant. After consultation with the Faculty Senate Grievance Committee (FSGC) guidelines, as well as consulting with Ms. Nunnemaker, the Faculty Senate President, and OSU's Legal Counsel, the FSGC chair let the OEI officer know that the case can be considered by the committee, and the committee member in question can be replaced by Peg Herring, the Executive Committee Liaison. No further communication was received about this case.

The second enquiry came from a fixed-term instructor who had been newly terminated and felt that this was a part of prolonged harassment, as perceived by the instructor. After consultation with the FSGC Chair, this instructor presented a grievance to the Dean of the corresponding college, according to FSGC guidelines. Before the Dean responded, however, the instructor decided not to pursue this case with Faculty Grievance. It is not appropriate to comment on the specifics of this case in this report.

#### Recommendations

The experience of the Committee during this grievance process led us to present the following recommendations to the Faculty Senate's Executive Committee.

- 1) To work with the university administration to ensure that all colleges and departments/units properly and timely conduct annual reviews. Additionally, departments must advise faculty going up for annual review about the criteria in place for them so that they don't find themselves surprised by the outcomes of that review, or at the time of contract renewal/terminations.
- 2) To work with the Provost's Office to ensure that any unit that has shown a pattern of violations of procedural guidelines to the tenure, promotion and termination process brings its procedures into alignment with the principles and criteria of the university guidelines.

- 3) To reconsider a request in 2000-2001 Report by Faculty Grievance Committee for Faculty Senate support for a proposal by the AAUP to establish a "legal defense fund" to provide some pre-determined legal advice services to grievant.
- 4) To work closely with the University Ombuds and Legal Counsel proactively to accurately, promptly, and compassionately respond to queries from potential plaintiffs; possibly a two-hour orientation meeting around the beginning of fall term.