

# Faculty Senate

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## Faculty Grievance Committee

Date: **July 1, 2006**

To: **Bill Boggess and the Executive Committee, OSU Faculty Senate**

From: **Steven Sharrow, Chair, Faculty Grievance Committee (Members: Barbara Balz, Urmila Mali, Loretta Rielly, Steven Sharrow, and Tom Wolpert)**

RE: **Grievance Committee Annual Report, 2005-2006**

Three grievances were filed by two different faculty members during 2005-2006. Grievances included issues related to the promotion and tenure process, non-renewal of an annual contract, and reassignment of a faculty members' advising role.

The issues brought forth in these cases offered some useful insights into the nature and role of the grievance process itself. The current grievance process is very effective at identifying obvious breaches in OSU procedures and practices so that remedies may be applied. In two of the three grievances that reached the Grievance Committee, one or more of the actions being objected to were addressed at the Dean's level. The grievance process, of which the Faculty Grievance Committee is an integral part, serves a valuable function in reviewing administrative actions. This has the effect of deterring obvious administrative deviance from OSU procedures and practices.

Grievance at OSU is a voluntary internal procedure that operates within well defined guidelines contained in the applicable OAR's, as interpreted in the Handbook for Grievance Committee Members. This makes the grievance process a poor forum for challenges to OSU policies that set procedures and practices. Of specific concern this year was the issue of tenure track faculty being denied access to the grievance procedure for issues pertaining to non-reappointment of their annual contract. The scope of the grievance procedure, as presented in the OSU faculty handbook (<http://oregonstate.edu/facultystaff/handbook/griev/grievance.htm>) is ambiguous on this point as read by someone without legal training. The OSU Handbook for Grievance Committee Members clearly excludes non-reappointment of annual contracts from grievance, except in cases where the faculty member alleges that his or her rights were violated in connection with the decision not to reappoint. This discrepancy needs to be addressed by either changing OSU policy so that contract non-reappointment issues are grievable, or by clearly stating in the OSU Faculty Handbook that they are not subject to grievance except in the case of a violation of rights.

The Faculty Handbook clearly explains the grievance process and describes the specific steps necessary to file the initial grievance with the Dean or other appropriate administrator. It is a bit more vague on how one refers a grievance to the Faculty Grievance Committee. It would be useful if section 576-050-0030 (Appeal to the Faculty Grievance Committee) includes instructions for grievants to send a written request for review of the grievance to the Chair of the Faculty Grievance Committee, along with a statement of why/how the Dean's decision was flawed.

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Faculty Senate, Oregon State University, Corvallis, OR 97331-6203 · 541.737.4344

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