

Faculty Senate

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Faculty Grievance Committee

Annual Report 1998-99

July 15, 1999

To: Faculty Senate Executive Committee

From: Roger L. Nielsen Chair, Faculty Senate Grievance Committee

This was a particularly busy year for our group, with four formally filed grievances and 6 additional serious inquiries. The specifics of these cases is of course confidential, however, it is clear that reduced resources is a contributing factor in many.

In processing these grievances, the committee has concluded that the existing grievance process is flawed. The current procedures have worked fairly well over the past several years, however, the structure has never been fully tested. The most important flaw relates to the advice given to the grievant. When an inquiry about filing a grievance is made, the only advice available within the process is from the chair of the grievance committee or the university counsel. However, their positions are compromised by the fact that the committee chair will preside at any hearing. It would be as if the only legal advice one could obtain in a civil or criminal proceeding was from the judge. As chair, I felt restricted in the extent and detail of the advice that I could give. We are put into the position of either giving inadequate advice, or worse, appearing to be an advocate for the grievant.

The committee feels that now is the time to make the necessary changes in procedure that will avoid future problems, while we have a group that benefits from common trust. Our recommendation is that the faculty senate set up an advisory committee of 2 to 3, made up of former members of the grievance or mediation committees and be given the duty of providing advice to grievants. However, we also feel that it is important that the role of this advisory group be limited and not interfere with the formal grievance procedures.

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