

32.01.01.R0.01 Grievance and Appeal Process for Faculty Members



Approved May 27, 2013
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Procedure Statement

All faculty members of Texas A&M University-Commerce are encouraged to resolve problems in an open manner through normal administrative channels without the fear of reprisal for seeking such resolution. Open communication between faculty members and administrators is encouraged so that resort of the formal grievance procedure will not be necessary.

Reason for Procedure

This procedure is required by System Regulation *32.01.01 Complaint and Appeal Procedure for Faculty Members* and applies only in the resolution of grievances when procedures are not specifically established elsewhere.

Procedures and Responsibilities

1 PEER REVIEW

Any faculty member who has a grievance, which cannot be resolved by reasoned discussion within the normal administrative channels of the university, is entitled to have this grievance reviewed by an elected committee of peers. Depending on the nature of the grievance, the reviewing body will either be the Advisory Committee or the Hearing Committee. Refer to *12.01.99.R0.01 Academic Freedom, Tenure, Promotion and Post Tenure Review*, Sec. 6.1.1

2 GRIEVANCE PROCEDURES

Every effort should be made to resolve grievances by reasoned discussion and negotiation. If at all possible, the resolution of grievances should be accomplished within the normal administrative structure of the university. Should an equitable and mutually acceptable resolution of a faculty grievance not be achieved within the normal administrative channels, the faculty member has a right to a fair hearing before an elected committee of peers, namely the Advisory Committee. Such grievances will be resolved by the following procedure:

2.1 A faculty member with a grievance should request, in writing, a personal conference with the appropriate administrative officer, usually the department head. This request should be informal, with the grievance explored in depth and discussed rationally by all parties concerned. If a mutually acceptable resolution of the grievance is not achieved,

the faculty member will be given, within 14 calendar days, a personal conference with the administrative officer at the next administrative level.

- 2.2 This procedure will be repeated until the grievance is resolved or reaches the Vice Presidential level. If no acceptable resolution of the grievance is achieved at this level within 14 calendar days, faculty members will have the right to have the matter considered by the Advisory Committee. The faculty member will have 14 calendar days to request this review. All pertinent materials will be forwarded to the committee at this time.
- 2.3 Within 30 calendar days (or as soon thereafter as possible) of receiving a faculty grievance, the Advisory Committee will be convened by its chairperson. The committee will hear all allegations made by the faculty member. It may request the presence of any involved parties as well as any additional information it deems necessary to fully explore the problem.
- 2.4 The committee will do its utmost to bring about a mutually acceptable resolution of the grievance. Should it not be possible to do so, the committee will submit to the President a full report of its efforts to effect reconciliation as well as its recommendation. A copy of this report will simultaneously be sent to the faculty member. Any formal votes taken by the committee will be by secret ballot. If not all members concur in the final committee recommendation, this fact will be noted in the report to the President. Furthermore, any committee member who desires may submit personal comments on the final committee recommendation.
- 2.5 If the President does not concur with the committee's recommendation, this fact will be communicated in writing to the committee within 30 calendar days of receipt of the report, accompanied by the president's rationale. The committee will review this response and may reply in writing to the President within 14 calendar days. At any time after receiving the committee's initial recommendation, either the President or the committee can request a joint meeting to discuss the case.
- 2.6 Unless there are extenuating circumstances, the President will take final action on the grievance: 1) within 30 calendar days after receiving the committee's initial recommendation if the president and the committee concur in the matter; 2) otherwise, within 14 calendar days of the committee's final response to the President.

Related Statutes, Policies, or Requirements

System Policy [32.01 Employee Complaint and Appeal Procedures](#)

System Regulation [32.01.01 Complaint and Appeal Procedures for Faculty Members](#)

University Procedure [08.01.01.R0.01 Civil Rights Compliance Procedure](#)

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