

APPENDIX K

Timetable for Resolution Steps in Mediation and Grievance Hearing Process for Academic Faculty

The table of the following page summarize the time limits specified in the Faculty Handbook (Section 2.18) in order to assure the timely resolution of grievances involving Mediation and Grievance Hearings.

Important: In order to preserve his or her right to pursue mediation and/or a later grievance hearing in the event that mediation efforts do not result in resolution, the faculty member must file a Grievance Complaint Form with the University Grievance Officer (hereinafter referred to as "UGO") no later than twenty (20) working days after the date of the decision or action giving rise to the grievable conflict or discovery of that decision or action. Discovery is that point in time when the individual knew or should have known that a basis for a grievance exists.

NOTE:

Per the provision of Section 2.18.9 Step 1, the faculty member is encouraged to seek to resolve the dispute informally through discussions with the responsible individual(s) and the immediate supervisor of the responsible individual(s) prior to referring a grievable conflict to the UGO. However, failure to seek informal resolution shall not be grounds for denying access to the formal mediation and grievance procedures described in Section 2.18, provided only that a Grievance Complaint Form is filed by the faculty member no later than twenty (20) working days after the date of the decision or action giving rise to the grievable conflict or discovery of that decision or action.

Section 2.18.10 states: "By written agreement of the parties, or in the event of pressing emergencies, subject to the written approval of the UGO, the time limits set forth in Section 2.18 may be extended for reasonable periods."

See Section 2.18.10 for details concerning the disposition of grievance complaints in the event that a party to the grievance fails to take the required action within the specified time limit absent such a written agreement, in including possible postponements of mediation and grievance procedures during the summer months.

Summary of Timing Limitations Within the Mediation System and the Grievance Review Process

Action		Maximum Working Days ¹
a. Grievable Action is announced/discovered	Faculty member files Grievance Complaint Form (available in Appendix G of Faculty Handbook) with UGO, per the provision of 2.18.9, Step 2.	20
Mediation		
b. Assignment of UM ² by UGO	See 2.18.11.	5
c. Objections to UM Assignment	See 2.18.11.3.	5
d. Initial Mediation Meeting(s) and Decision to Mediate	UM decides whether mediation efforts are likely to produce resolution based on meeting(s) with all participants for discussion of their respective positions and review of relevant information.	10
e. Extended Mediation Period	If UM has reason to believe mediation efforts are likely to produce a resolution, mediation period is extended an additional (20) working days from date of the initial meeting. Otherwise, or if mediation period does not produce a resolution, UM shall issue a written notice of termination of the mediation. NOTE: There is a total of 30 days from date of UM assignment for completion of (d) and (e), except in cases of objections to UM assignment.	20
Grievance Hearing		
f. Request for a Formal Grievance Hearing Review	Faculty member files Request for a Formal Grievance Hearing Review Form (available in Appendix G of Faculty Handbook) with UGO within 15 working days of written notice of termination of mediation. See 2.18.12.1.	15
g. Written response by Responsible Individual	Submitted by individual responsible for the decision/action which constitutes basis of the grievance to Grievant and UGO. See 2.18.12.1.	5
h. Commencement of Grievance Hearing Review	UGO forwards Request for a Formal Grievance Hearing Review and Response of Responsible Individual to Grievance Hearing Committee; formal Grievance Review Hearing commences no later than 10 days following a Grievant's Request for a Formal Hearing. See 2.18.12.2 concerning initial receipt of request by committee; 2.18.12.5 concerning conduct of hearings (including right to object to committee membership), and 2.18.14.4 concerning organization committee.	10
i. Continuation of Grievance Hearing Review	Once initiated, hearings shall be concluded within 10 working days unless extended by the Committee. See 2.18.12.5 concerning conduct of hearing, 2.18.12.6 concerning order of hearings, and 2.18.12.7 concerning evidentiary rules.	10
j. Written decision of Committee	Following adjournment of last hearing session, Committee retires for purpose of discussion, and renders a written decision within 10 days. See 2.18.12.8.	10
Administrative Review and Appeals		
k. Appeal of Committee Decision	Submitted in writing by faculty member to Provost. See 2.18.12.9.1.	5
l. Provost Decision	Written decision rendered within 10 days of an appeal from the Grievant OR of a Committee decision that was not appealed. See 2.18.12.9.1.	10
m. Appeal of Provost Decision	Submitted in writing by faculty member to President. Failure to file appeal constitutes acceptance of Provost decision (or Committee decision if Provost was a party to Grievance). See 2.18.12.9.2.	5
n. President Decision	Written decision rendered within 15 days after receipt of all relevant material. See 2.18.12.9.2.	15
o. Board of Governors Appeal	Faculty member may appeal a grievance complaint decision to the Board <u>only</u> if President was a party to the Grievance or if President recommends Dismissal or Termination of a Tenure or Tenure Track Contract.	See 2.18.12.9.3

¹ "Working day" refers to any day of normal University operations based upon the five (5) day, Monday through Friday week, except all official University holidays. See 2.18.10 concerning possible postponements of mediation and grievance procedures during the summer months.

² "UM" refers to "University Mediator".