



**PRESIDENT'S POLICY MEMORANDUM NO. 258**

**TO: All Administrative and Professional Faculty**  
**FROM: Charles W. Steger** *WWS*  
**DATE: July 31, 2009**  
**SUBJECT: Changes to the Administrative and Professional Faculty Grievance Process**

**Approved by CAPFA: November 12, 2008**  
**Approved by University Council: February 16, 2009**  
**Approved by the President: February 16, 2009**  
**Approved by Board of Visitors: March 23, 2009**  
**Effective Date: Upon Approval**

The Board of Visitors approved a resolution to implement changes to the Administrative and Professional Faculty Grievance Process.

Following is the text of that resolution.

**WHEREAS**, the Commission on Administrative and Professional (A/P) Faculty Affairs (CAPFA) is responsible for oversight of A/P faculty grievances and advising the provost or associate vice president for human resources prior to action; and

**WHEREAS**, during 2007-2008, CAPFA learned through formal grievances and a close review of Section 3.0 of the Faculty Handbook that changes were necessary to better serve the needs of the grievant and the university, and to reflect practice as it has evolved over the years; and

**WHEREAS**, step 1 (oral presentation to supervisor) and step 2 (written presentation to supervisor) are combined to streamline the process since experience suggests that this differentiation did not work as well intended; and

**WHEREAS**, the addition of staff in bands 5-7 to the ranks of A/P faculty members who may report to supervisors below the director level raises potential concern that the number of steps and designated levels of the review process may preempt the involvement of key players the grievance process, therefore CAPFA recommends that the initial grievance go to the director, then dean or vice president, then to the CAPFA hearing panel and finally to provost/associate vice president for human resources for a final decision, thereby giving the grievant the opportunity, regardless of level of

position, an opportunity to take their complaint to the highest level in their reporting structure, and

**WHEREAS**, language was added to recognize that some A/P faculty members may report to a senior level administrator, precluding the possibility of conducting all steps as prescribed in the procedures;

**WHEREAS**, there are two conflicting statements in section 3.0 – section 3.6 states that termination for cause may be a valid issue for a grievance while section 3.11.2 states that termination for cause may NOT be grieved; CAPFA recommends that termination for cause be a valid issue for grievance; and

**NOW, THEREFORE BE IT RESOLVED** that Section 3.11.2 of the Faculty Handbook be amended as follows:

***Concerning Step One Written Grievance Submitted to Director/Department Head:***

1. **Step one:** The grievant must submit a **written** statement of the grievance to his or her **director or department head** (for extension, the district director) within 30 calendar days of the date that he or she knew or should have known of the event or action that is the basis for the grievance.

***Concerning Shortening of Steps Based on Reporting Relationship of Grievant (new language):***

The number of steps in the process may be shortened given the reporting line of the grievant. Thus, if three steps do not exist between the grievant and the president, then the available number of steps will be used.

***Concerning Termination for Cause as a Valid Issue for Grievance:***

**3.11.2 Valid Issues for Grievance**

For this process, a grievance is defined as a complaint by an administrative or professional faculty member alleging a violation, misinterpretation, or incorrect application of a policy, procedure, or practice of the university directly affecting the grievant. Some examples of valid issues for filing a grievance are:

1. improperly or unfairly determined personnel decisions that resulted in an unsatisfactory annual performance evaluation, **termination for cause**, unreasonable merit adjustment or salary level, or excessive teaching load/work assignments;

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