

Faculty Grievance Committee Procedures Radford University March 25, 2013

These procedures are effective thirty (30) days from the above date. Procedures may be changed at any time and take effect 30 days after the change is made.

A faculty member bringing a grievance must first read and adhere to all requirements related to grievances as outlined in the Teaching and Research Faculty Handbook.

If the grievant and the individual against whom the grievance is made resolve their differences at any time or the grievant drops the case at any time during the process, the committee will take no further action.

The Grievance Committee will accept grievances at any time.

Grievance Committee processes will follow the following steps:

Step I - Initiation of the formal Grievance

1. The grievant must submit ten copies of the complaint in writing to the Chair of the Grievance Committee.
2. The grievant must follow the guidelines provided by the chair. The complaint document must: (a) identify the individual(s) against whom the complaint is brought (the Answering Party); (b) include a brief statement of the nature and basis of the complaint; and (c) include a statement of the desired rectification of the complaint. (Note: the Grievance Committee will not be bound by the grievant's statement of the desired rectification regardless of the ultimate recommendation of the committee.
3. The Chair of the Grievance Committee will provide the members of the committee with a copy of the complaint document.

Step II – Initial Review by the Grievance Committee

1. Within five working days the committee will determine whether the grievance falls under the purview of Faculty Grievance Committee according to the Teaching and Research Faculty Handbook.
2. Three members of the committee must vote in favor of the grievance falling under the purview of the Faculty Grievance Committee, thus requiring the committee to hear the case, for further action to be taken. If two or fewer members vote in favor of hearing the case the grievant will be informed by the Chair of the Grievance Committee in writing and no further action will be taken by members of the Grievance Committee.
3. If three or more members deem it appropriate to hear the case, in a timely manner the committee will identify a tentative date for a formal hearing, identify individuals to be present at the formal hearing, and request ten copies of any further evidence or documentation from the grievant. The Chair of the Grievance Committee will confirm the hearing date with the grievant and the answering party.

4. The answering party will be requested to submit ten copies of an answer to the complaint in writing to the Chair of the Grievance Committee within five working days of being informed of the hearing date. However, the Chair will accept ten copies of any additional materials, including evidence and signed affidavits, up until two working days prior to the time of the formal hearing.
5. The grievant may submit ten copies of any additional evidence or signed affidavits to the Chair of the Grievance Committee up until two working days prior to the formal hearing.
6. Prior to the formal hearing any information submitted by one of the parties will be provided to the other by the Chair of the Grievance Committee.
7. Upon written request with justification of the grievant or answering party and majority vote of the members of the committee a delay of the formal hearing will be allowed.

Step III – The Formal Hearing

A quorum will be seven of the ten members of the Grievance Committee.

The Chair of the Grievance Committee will introduce all individuals who are present and state their role. There will be no observers. Either the grievant or the answering party may challenge the presence of a member of the Grievance Committee, advocate, or invited witness. The Chair's decision in such cases will be final. (If the Chair is challenged then the Vice Chair will decide.)

1. At the beginning of the hearing, the Chair will stipulate the reason(s) for the hearing.
2. The grievant may have a faculty advocate (full-time tenured teaching faculty) at the hearing. The grievant will be given an opportunity to state the complaint and rationale. Either the grievant or the grievant's advocate will be expected to make a good faith effort to answer questions put forth by Grievance Committee members. Invited witnesses for the grievant will be heard at this time.
3. The answering party may have a faculty advocate (full-time tenured teaching) at the hearing. The answering party will be given an opportunity to answer the complaint. Either the answering party or the answering party's advocate will be expected to make a good faith effort to answer questions put forth by Grievance Committee members. Invited witnesses for the answering party will be heard at this time.
4. The grievant will be given an opportunity to respond to points made by the answering party. At the discretion of the Chair there may be further questions and answers.

5. The committee will tape-record the proceedings. Both the grievant and the answering party may tape-record the proceedings.
6. At the end of the first formal hearing the committee will meet in closed session to render a recommendation. If there is a need for an additional hearing or new evidence to be submitted by either party, the parties will be informed in a timely manner by the committee Chair to submit ten copies of the additional information. If an additional hearing is required the parties will be informed and the hearing will be scheduled within five working days.

Step IV – The Recommendation

1. A recommendation favorable to the grievant will require six votes at a meeting of the Faculty Grievance Committee.
2. The Chair of the Grievance Committee will inform the grievant and the answering party in writing of the recommendation by the committee. A copy will be sent to the Provost or other administrator as prescribed by the Teaching and Research Faculty Handbook.
3. A minority report will be allowed.