

Faculty of Applied Medical  
Sciences



Department of Medical Laboratory  
Technology

# FACULTY GRIEVANCE PROTOCOL

2021

# FACULTY GRIEVANCE PROTOCOL

## POLICY STATEMENT & PURPOSE

The Medical Laboratory Technology Faculty Grievance Procedure is intended to provide a fair, internal process for resolving employment related disputes that arise between faculty or academic staff members and administrators.

### Informal discussions

The formal procedures described in this Policy are intended to be used only when matters cannot be resolved informally. When at all possible, complaints and disputes should be settled through informal discussion with an immediate supervisor.

In some circumstances, the head and to some extent if deemed necessary the Dean is asked to help in the informal resolution of grievance. The procedures presented here are to be applied only after every effort has been made to settle disputes informally. The department hopes that the majority of concerns will be resolved this way. The procedures contained in this Policy are not intended to be used to challenge the desirability of unit or University policies.

The Supervisor shall confer with the parties and make every reasonable effort to resolve the grievance informally as quickly as possible. Discussions regarding informal resolution are expected to be treated with confidentiality and may not be disclosed or referenced during any subsequent formal proceedings on the grievance. The Supervisor may recommend that the grievant drop the grievance because it lacks merit or for other just cause. Such a recommendation, however, shall not be binding on the grievant.

## DEFINITIONS

- A. Grievance: A written complaint filed by a faculty or academic staff member or an administrator of the University alleging a violation of policy statement or professional decorum established in the departmental system.
- B. Faculty member: A person with a University appointment at the rank of professor, associate professor, assistant professor, lecturer or assistant instructor, academic specialist, demonstrators including those with fixed continuing appointment system and contract status.
- C. Administrator: A person appointed as the supervisor/head of an administrative unit, department chair, dean.
- D. Policy: A written statement of principles and procedures that govern the actions and decisions of faculty, academic staff, and administrators, including written rules, bylaws, procedures, or standards.
- E. Violation: A breach, misinterpretation, or misapplication of existing policy or established practice.
- F. Disciplinary action: Disciplinary or corrective action is a process of communicating with the employee to improve unacceptable behavior or performance.

## Stage 1 – Filing the statement of Grievance

If the faculty member feels that the matter has not been resolved through informal discussions, he/she should file the statement of grievance in a written document to an immediate supervisor/ faculty grievance official (FGO). All grievants must submit a written, signed, and dated statement of the grievance. This statement should include:

- A factual description of the complaint or dispute resulting in the grievance, the name of the person(s) (respondent) against whom the grievance is initiated.
- A brief description of all informal attempts at resolution.
- Any other information that the grievant believes to be relevant or helpful.

The grievant should attach to the written complaint any documentation in his or her possession bearing on the subject matter of the complaint. The grievant should be aware that initiation of formal grievance is a serious matter and must not be undertaken over trivial matters or out of malice.

## Stage 2 – Grievance Meeting

Within five (5) working days the supervisor will respond in writing, to the statement inviting the grievant and the person(s) against whom the grievance is filed, and shall provide a copy of the grievant's statement to attend a meeting where the alleged grievance can be discussed. This meeting should be scheduled to take place as soon as possible and normally five (5) working days notice of this meeting will be provided to the faculty member.

Faculty members must take all reasonable steps to attend the meeting, but if for any unforeseen reason the faculty member, or the complained party, can't attend, the meeting must be rearranged.

After the meeting the supervisor hearing the grievance must write to the faculty member informing them of any decision or action and offering them the right of appeal. This letter should be sent within five (5) working days of the grievance meeting and should include the details on how to appeal.

The FGO/Supervisor may consider the following information helpful in making a jurisdictional determination:

1. Whether the grievant has standing under the Faculty Grievance Policy.
2. Whether the grievance has been filed in a timely fashion.
3. Whether the grievance identifies an appropriate respondent(s).
4. Whether the grievance adequately identifies the existing policies and/or established practices alleged to have been violated.
  - e. Whether the grievance contains a reasonably adequate statement of the facts relevant to the complaint.
  - f. Whether any other jurisdictional issue(s) need to be decided in connection with the initiation of the grievance and, if so, an explanation of such issues.

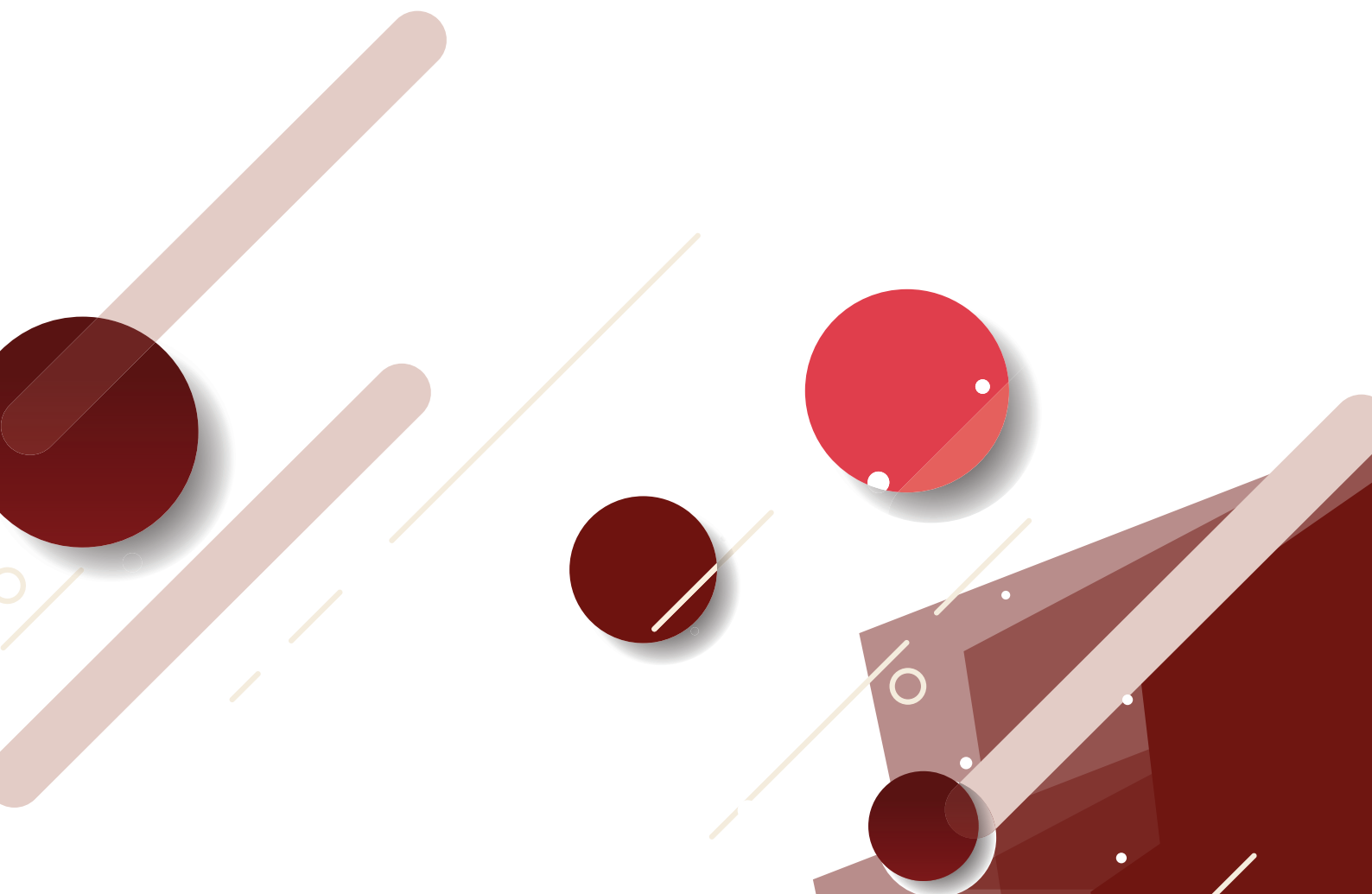
If any of the requirements do not meet, the FGO/Supervisor shall dismiss the grievance.

### Stage 3 – Appeal

If the matter is not resolved to the faculty member's satisfaction they must set out their grounds of appeal in writing within five (5) working days of receipt of the decision letter. The appeal letter should be sent to the immediate Supervisor/FGO which shall further be processed accordingly to the flow of information.

Within five (5) working days of sending an appeal letter, the faculty member should receive a written invitation to attend an appeal meeting. The appeal meeting should be taken by the Head of the Department not involved in the original meeting. The Head of the Department may decide to choose a hearing panel for the appeal meeting, composed of randomly selected faculty members. Hearing panels shall serve throughout an entire proceeding. Necessary precautions shall be taken to avoid any conflict of interest on the part of the hearing panel's members. All hearings shall be recorded. The privacy of confidential records used in the hearing shall be respected.

Hearing panels shall report their findings and recommendations in writing to the Head of the Department within five (5) working days of the meeting completion of the hearing. The Head of the Department shall forward the final decision to the grievant, the respondent, the panel, the Dean, as appropriate, and to the administrator who is the respondent's immediate supervisor within the five (5) days after the hearing panel's recommendations. The hearing panel's report is advisory to the Head and does not bind the Head to a particular decision.



## REVISION OF THIS POLICY

- A. Any faculty member or administrator may propose revisions to this Policy.
- B. All proposals for revision shall be submitted to the immediate Supervisor, which shall consider them and forward them to the Faculty Council.
- C. If approved by the Faculty Council, the proposal shall be submitted to the University Council.
- D. Proposed amendments and revisions approved by the University Council shall be forwarded and become effective upon Board approval.