

Faculty Grievance Resources

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**INDIANA STATE UNIVERSITY
FACULTY OMBUDS OFFICE**

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Introduction

This document provides information and resources for faculty who are thinking about filing a grievance at the college or university level. Based on common questions and concerns raised with the faculty ombuds office, the document also includes important things to consider before filing a grievance, suggestions about where to direct various types of concerns, and possible alternatives to the grievance process.

Reasons for Filing a Grievance

According to the [Bylaws of the Faculty Senate \(Policy Library 146.14.1\)](#), grievances may be filed based on *violations* or *inadequate consideration* of University policy (i.e., arbitrary, punitive, or capricious application of policies) or academic freedom. The grievance should be based upon the faculty member's claim that the action being grieved has *adversely impacted* the financial, intellectual, or pedagogical aspects of their appointments (i.e., curriculum, methods of instruction, research/creativity, faculty status, or aspects of student life which relate to the educational process).

Examples of concerns and associated policies:

- [Faculty Workload Expectations and Assignments \(Policy Library 310\)](#)
- [Chairperson Responsibilities \(Policy Library 350.2\)](#)
- [Faculty and Staff Principles of Conduct \(Policy Library 501.1\)](#)
- [Hostile or Intimidating Workplace Behavior \(Policy Library 502\)](#)
- [Faculty Deficient Performance \(Policy Library 350.2.9.1.1\)](#)
- [Discipline and Dismissal Proceedings \(Policy Library 146.13\)](#)
- [Extraordinary Action \(Policy Library 501.2\)](#)

Concerns that use other processes:

Appeals of recommendations for *non-reappointment* during the probationary period or *denial of promotion or tenure* are addressed by appeal to the [Promotion and Tenure Oversight Committee \(PTOC; Policy Library 305.17 & 305.18\)](#). Appeals must be directed, in writing, to the [chairperson of PTOC](#) within 15 working days of the Provost's recommendation.

Reports of *discrimination or harassment* should be [reported directly](#) to the Equal Opportunity and Title IX office for review ([Policy Library 923](#)). Information regarding policies, procedures, and resources are available on the [Equal Opportunity and Title IX webpage](#).

Considerations before Filing a Grievance

A grievance may be described as a “high-stakes” method for resolving a problem. Grievances are usually very time-consuming and stressful for everyone involved, and they often impact the future working relationship between the complainant and the respondent(s). Therefore, it is often advisable to exhaust informal methods for resolving a concern when possible. A separate informal resolution document is available to assist in these efforts.

Special considerations for untenured faculty:

- Ensure you have adequate time to meet **all** requirements of your review and reappointment process, in addition to the time demands involved in a grievance. In some cases, it may be more important to secure your chances of reappointment than to pursue a grievance.
- If you choose to pursue a grievance, ensure you are doing so for your own goals and purposes. Guard against being “talked into” filing a grievance by an individual or group who may have their own agenda.

Filing a grievance begins a formal dispute resolution process, which creates documentation of a concern and may result in official action. Often, grievance proceedings place the decision about how to resolve a situation in the hands of a committee and/or administrator. This type of process may be desirable when:

- Informal problem-solving efforts have failed, but the resolution of the problem is very important to you.
- There has been a serious policy violation that needs to be acknowledged and addressed.
- A formal, documented, or enforceable resolution (e.g., written reprimand, formal apology, change to policy/procedure, official reversal of an administrative action) is needed.

A successful grievance will usually include:

- A specific person(s) against whom the grievance is filed
- A specific written policy or procedure that was violated
- Factual evidence that is not easily disputable or subject to interpretation
 - Adverse financial, intellectual, or pedagogical impact
- A specific action or outcome that is desired as a result of filing a grievance

Where to File a Grievance

If you are interested in moving forward with filing a grievance, this section is intended to help you find information about policies and procedures that are relevant to your situation.

Human Resources

The Office of Human Resources manages grievances against staff ([Policy Library 565](#)). Faculty who are considering filing a grievance against a staff member should contact Employee Relations (812-237-4114) to discuss the process.

College-Level Grievances

A college-level grievance is the place to begin if everyone involved is a faculty member or administrator in your college ([Policy Library 146.14.2](#)). Below are links and summaries of important information about each college policy.

Bayh College of Education (BCOE) grievance policies appear on pp. 9-14 of the [BCOE Policies](#) (grievance form on pp. 18-19). The policy does not specify a timeframe within which a grievance must be filed. The policy does require informal resolution efforts prior to proceeding with a formal complaint.

College of Arts and Sciences (CAS) mediation policies appear in Section Three of the [CAS Bylaws](#). Grievances must be filed within 6 months of the originating person's knowledge of the events giving rise to the problem. Mediation of the problem by a screening committee is incorporated within the process.

College of Health and Human Services (CHHS) faculty grievance procedures are available by request from the chair of the [CHHS Faculty Affairs Committee](#). The college policy requires each department to maintain its own policy. College-level grievances may only proceed after applicable department-level efforts have been unsuccessful. If mediation is attempted unsuccessfully at the college level, a formal grievance must be filed within 10 working days of the conclusion of mediation efforts. No timeline is specified for filing the grievance if mediation is not requested.

College of Technology (COT) grievance policies are available in Article VI of the [COT Constitution](#). Mediation is not required or included in the process, and no timeline is specified for filing the grievance.

Library grievance procedures are available in Article VI of the [Library Constitution](#). The policy states: "A grievance appeal must be filed within five (5) working days of the decision being appealed." Mediation is not required or included in the process.

Scott College of Business (SCOB) grievance procedures are available in Section VII of the [SCOB Faculty Constitution](#). Mediation is not required or included in the process, and no timeline is specified for filing the grievance.

University-Level Grievances

A [University Faculty Grievance \(Policy Library 146.14.3\)](#) may be filed in one of two circumstances:

- As an *appeal* of a college-level grievance decision on the basis that (a) the evidence provided did not support the decision made, (b) procedural errors occurred that impacted the evidence that was/was not permitted, or (c) new documented evidence has emerged that may affect the decision. Appeal grievances must be filed within 20 working days of the conclusion of the original grievance.
- As a *primary* grievance when jurisdiction does not fall within the purview of any one college/library (e.g., faculty members from different colleges, faculty member and upper administration). Primary grievances must be filed within 30 working days of the grievable event.

University grievances must be filed using [Grievance Form A](#) and directed to the Executive Committee Chairperson through the University Faculty Senate office.