Procedures Statement

The present College procedures are applicable to grievances not covered under University’s Statement on Academic Freedom, Responsibility, Tenure and Promotion (12.01.99.M2), Investigation and Resolution of Complaints Against Faculty Members for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges (08.01.01), or not covered in other Rules or Standard Administrative Procedures (SAP).

These procedures are supplemented by SAP 12.99.99.M0.01 on those instances in which the procedures remain silent.

Definitions

Grievance: In general, an official statement of complaint over conditions of work believed to be wrong or unfair.

Grievant: Faculty member believing that they have cause for grievance.

Respondent(s): The person or persons against whom the grievance is directed.

Procedures and Responsibilities

1. Constitution of the College of Medicine Faculty Grievance Committee as Outlined in the COM Bylaws

1.1. The College of Medicine (COM) Faculty Grievance Committee (FGC) shall be identical in membership to the COM Faculty Advisory Committee (FAC). The FAC is comprised of one voting member from each COM Academic Department and one voting member from the Institute of Biosciences and Technology.

1.2. The FGC will elect annually from its membership a Chair and a Vice Chair. Both the Chair and the Vice Chair will have served full-time in the COM for at least five (5) years. A Chair or Vice-Chair may recuse themselves from their leadership role on the FGC for conflicts of interest.

1.3. A quorum shall consist of a simple majority of the voting committee membership. A simple majority of the total voting membership present shall be required for an affirmative or negative recommendation.
1.4. The grievances addressed by the FGC may include, but are not necessarily limited to, issues associated with workload assignments, individual conflicts, and working conditions. Grievances related to salary are addressed in Section (8.) Salary Grievances of the University Standard Administrative Procedure 12.99.99.M0.01 - Faculty Grievances Procedures Not Concerning Questions of Tenure, Dismissal, or Constitutional Rights

2. Grievance Procedures

2.1. A faculty member (grievant) believing that he/she has cause to grieve concerning a matter covered by this procedure should consult with the Faculty Ombudsman and discuss the matter in a personal conference with the grievant's department head.

2.2. If the matter is resolved at the department level, a letter of understanding explaining the resolution should be written by the department head and signed by the grievant. This letter should be retained in the department head's office.

2.3. If the matter cannot be resolved by mutual consent between the department head and the grievant or if the department head is the respondent, the issue should be discussed in a personal conference with the dean or the dean's designee.

2.4. The dean or the dean's designee may choose to forego the personal conference with the grievant, refer the matter to a voluntary mediation service coordinated by the office of the dean of faculties as an intermediate step prior to a formal referral to the FGC, or refer the matter directly to the FGC before intervening.

2.5. Only after the grievant has engaged in informal personal conferences with the department head and the dean or the dean's designee and if the matter has not been resolved by mutual consent at the foregoing levels, the grievant may submit a COM Faculty Grievance Submission Form (referred to in this document as “grievance form”) requesting presentation of the grievance to the FGC. The grievance form requires the grievant to supply the following information as specific and concisely as possible:

2.5.1. The names of the respondent(s) involved in the grievance.

2.5.2. Names of witness(es) if any.

2.5.3. Details regarding the specific issues and actions upon which the grievance is based.

2.5.4. The desired outcome or remedy.

2.5.5. Documentation (if any) supporting all allegations involved in the grievance.

The grievance form and any supporting documentation must be combined into a single PDF file and submitted to COM-FacultyGrievances@tamhsc.edu. The dean or the dean’s designee shall then refer the grievance to the FGC.
3. COM Faculty Grievance Committee Hearing Procedures

3.1. Within thirty (30) working days from the receipt of the grievance form and any documentation thereof, the FGC shall hold a hearing of the grievance. Prior to the hearing, the FGC shall meet to determine the membership for the FGC Hearing Panel. The FGC Hearing Panel shall consist of five (5) members from the FGC membership. In addition, either the FGC Chair or the Vice Chair will serve as the FGC Hearing Panel Chair (non-voting), for a total of six (6) on the FGC Hearing Panel.

3.2. FGC members may not serve as a member of the FGC Hearing Panel for the below listed reasons which are not all-inclusive. The decision as to whether or not an FGC member will serve on the FGC Hearing Panel rests with the FGC.

3.2.1. The FGC member is the respondent.
3.2.2. The FGC member is the grievant.
3.2.3. The FGC member is from the academic department of the grievant or the respondent(s).
3.2.4. The FGC member is a spouse, significant other or otherwise related to the grievant or the person(s) against whom the grievance is directed.
3.2.5. The FGC member has present or past financial interactions with the grievant or the respondent(s).
3.2.6. The FGC member has or had a recent collaborative relationship with the grievant or the respondent(s).

3.3. Within five (5) working days from the receipt of the grievance form, unless in the meantime the issue shall have been resolved to the grievant’s satisfaction, the FGC Hearing Panel shall provide a copy of the grievance form to the respondent(s). The respondent(s) will have ten (10) working days to submit a written response to the concerns of the grievance to the FGC. Any other documents that a party wishes to present during the hearing must be submitted five (5) working days in advance of the hearing. Any materials submitted by one party will be made available electronically to the other party (i.e., both grievant and respondent(s)).

3.4. Hearings will be conducted as follows:

3.4.1. The hearing shall be closed to all persons except as the FGC Hearing Panel may otherwise direct.
3.4.2. Only members of the FGC Hearing Panel may question the parties to the grievance.
3.4.3. The hearing will begin with the grievant’s case presentation followed by the respondent’s case presentation.
3.4.4. Both the grievant and the respondent(s) may present a list of questions to the FGC Hearing Panel that they would like the FGC Hearing Panel to ask the other party. FGC Hearing Panel members will ask those questions that they deem relevant to the issues under consideration during the hearing.
3.4.5. FGC Hearing Panel members will also ask questions they deem necessary to understand the grievance and resolve the dispute.

3.5. Upon conclusion of the hearing, the FGC Hearing Panel Chair will prepare the written recommendation to the dean or the dean’s designee. The FGC Hearing Panel’s recommendation shall be presented to the dean or the dean’s designee within ten (10) working days of the hearing.
3.6. The dean or the dean’s designee shall issue a decision within ten (10) working days of the receipt of the FGC’s recommendation.

4. Appeal Procedures

4.1. The grievant or the respondent may appeal the dean’s or the dean’s designee’s decision by petitioning the University Grievance Committee (UGC) for redress. The UGC will generally not hear grievances that have not been heard by a college grievance committee unless the grievance is concerning the dean or would be otherwise inappropriate to be heard at the college level. The grievant shall submit the grievance to the UGC through the Dean of Faculties. For procedures regarding the petitioning of the UGC, see Section (3.) of the University Standard Administrative Procedure 12.99.99.M0.01 - Faculty Grievances Procedures Not Concerning Questions of Tenure, Dismissal, or Constitutional Rights.

Related University Rules, Guidelines, or Standard Administrative Procedures

Visit the Texas A&M Dean of Faculties Grievances/Complaints webpage to review the following documents (http://dof.tamu.edu/Grievances).

− University Standard Administrative Procedure 12.99.99.M0.01 - Faculty Grievances Procedures Not Concerning Questions of Tenure, Dismissal, or Constitutional Rights
− System Regulation 32.01.01

Contact Office

COM Office of Faculty Affairs, e-mail COM-FacultyGrievances@tamhsc.edu