

UNIVERSITY OF BALTIMORE FACULTY GRIEVANCE PROCEDURES

Approved by UB Faculty Senate April, 1990

Corrected August 1995 to include section II.B.3. previously omitted by error

Amended II.C. and approved by Provost Council September 24, 1997

Approved by H. Mebane Turner, President, October 30, 1997

Amended and approved by UB Faculty Senate, May 6, 2015; Approved by Kurt L. Schmoke, President, May 20, 2015 Amended

January 2021; reviewed by OAG and UFS; approved May 2021 Reviewed by Associate Provost Fall 2023

I. The University System of Maryland Policy on Faculty Grievances provides:

“It is recognized that legitimate problems, differences of opinion, complaints, or grievances will occasionally arise in the relationship between the institution and its faculty. Many such complaints are resolved informally through discussions or formally through procedures available under institutional human relations codes and institutional or System policies on appointment, rank, and tenure. On occasion, however, complaints will arise that cannot be resolved through informal discussion or through formal procedures described above because they pertain to issues that are not within the subject matter of those documents

“Each institution shall adopt procedures whereby faculty grievances may be presented for formal review and resolution. This policy shall apply to anyone holding a recognized faculty rank, regardless of tenure status or percent time of employment.”

II. Coverage and Scope of University of Baltimore Grievance Procedure:

- A. Definition - The term “grievance” shall refer to any complaint by a faculty member pertaining to the faculty member’s terms and conditions of employment except for tenure and promotion decisions (see The University of Baltimore appeals procedure in the Promotion and Tenure Policies and Procedures - UB (<http://www.ubalt.edu/policies/faculty-affairs/appointment-rank-tenure-promotion-retention/promotion-tenure-UB.cfm>)).
- B. Exclusions - (required by University System of Maryland policy) – “No complaint shall be reviewed under faculty grievance procedures if:
1. The complaint pertains to a subject that is reviewable under or is specifically excluded from review by any other system or institutional policy;
 2. The complaint pertains to an official policy, regulation, or procedure of the System or the institution; a decision by the Board of Regents, the chancellor, or the president; or any matter the remedy for which would contravene or interfere with any such official policy, regulation, procedure, decision or action;
 3. The complaint pertains to broad areas of the fiscal management, staffing or structure of the University of Maryland System or constituent institutions; or
 4. The resolution of the complaint is not under the control of the institution and/or of the University System.”

- C. Deadline for Filing Grievance - No complaint shall be reviewed under this Faculty Grievance Procedure unless a written complaint is filed by the faculty member with the faculty member's department or division chair (or with the dean, if there is no chair) within 180 calendar days after the event or events upon which the grievance is based or 180 days after the event or events were or should reasonably have been discovered."

III. Procedures

- A. Any faculty member who has a supervisor below a dean and who wishes to file a grievance relating to any aspect of his/her terms and conditions of employment shall state the complaint in writing and follow the procedures set forth below.

Step 1. Meeting with Chair/Supervisor

- a. The grievant shall state the person's grievance in writing for presentation to the person's departmental or division chair or supervisor, as appropriate (e.g., libraries).
1. If the grievance is about the chair/supervisor, then the grievance should go to the individual at the next administrative level, typically the dean. The dean then takes step 1 and the provost or provost's designee step 2, as needed, and the University Faculty Appeals Committee is the final step.
 2. If the grievance is about the dean, then the grievance should go to the provost or the provost's designee. If the matter is not settled, then the appeal goes to the University Faculty Appeals Committee.
- b. The grievant shall meet with the chair/supervisor. The grievant may be accompanied by two individuals of their choosing. Members of the University community who accompany the grievant will be permitted to participate in the meeting on behalf of the grievant, while the role of those support persons outside of the University community will be limited to support and they will not be permitted to participate in the meeting. The chair shall meet with the grievant within ten (10) calendar days of receipt of the grievance.
- c. At this stage the grievance may be resolved and terminated. If no resolution results at this step, the chair shall render a written decision no later than ten (10) calendar days after the meeting. The chair's decision with reasons and all relevant documents shall be forwarded to the college/school dean, and the grievance shall move to Step 2.

Step 2. Meeting with Dean

The grievant and, if desired, two members of the University community

selected by the grievant shall meet with the dean. Members of the University community who accompany the grievant will be permitted to participate in the meeting on behalf of the grievant, while the role of those support persons outside of the University community will be limited to support and they will not be permitted to participate in the meeting. This meeting shall take place within ten (10) calendar days of receipt of the grievance. At this stage the grievance may be resolved and terminated. If no resolution results at this step, the dean shall render a written decision no later than ten (10) calendar days after the meeting. The dean's decision with reasons and all relevant documents shall be forwarded to the provost, and the grievance shall move to Step 3.

Step 3. Meeting with Provost

All documents and written recommendations from Step 1 and 2 shall be submitted to the provost. The grievant and, if desired, two members of the University community chosen by the grievant shall appear before the provost. Members of the University community who accompany the grievant will be permitted to discuss the grievance, while the role of those outside the University community will be limited to support of the grievant. This meeting shall take place within ten (10) calendar days of receipt of the grievance. At this stage, the grievance may be resolved and terminated. If no resolution results at this step, the provost shall render a written decision or recommendation with reasons no later than ten (10) calendar days after the meeting.

Step 4. The University Faculty Appeals Committee (UFAC)

The Faculty Appeals Committee operates under these procedures. A grievant with a grievance not resolved in Steps 1, 2 or 3 above, may request the President convene the UFAC to consider the grievance. The grievant must make this request within ten (10) calendar days of receipt of the provost's decision in Step 3.

The request to the President shall be in writing. Upon receipt of the request, the President shall convene the UFAC and forward to the committee a copy of the request.

The UFAC shall be a standing committee of the University Faculty Senate composed of one full-time tenured faculty member with the rank of associate or full professor from each college/school and a representative of the library (RLB Library or Law Library) faculty with permanent status. Each college/school shall elect its representative and the library faculty shall elect one representative to the UFAC. The UFAC shall elect its chairperson. Each member shall serve a two-year term, and terms shall be staggered.

The faculty of each academic division shall also elect an alternate, who must be a full-time tenured faculty member with the rank of associate or full professor

and a library faculty member with permanent status. A regular member of the committee will be substituted by an alternate in the event the member self-disqualifies, or the committee determines one of its members should be disqualified because of a role in decision-making relating to the grievance, an illness or other incapacitating condition, or a circumstance that could have unduly biased the member.

An audio recording of the committee's formal hearing shall be made at the request of any party or witness. All or part of the audio recording shall be transcribed if any party requests the transcription and pays the costs thereof. In addition, any witness may transcribe the witness's own testimony in whole or part if the person requests the transcription and pays the costs thereof.

The deliberations of the committee shall be confidential. There shall be no direct or indirect attempt to influence witnesses, committee members or the grievant by any University official or his/her agent(s). This applies particularly to persons in positions of authority over the above-mentioned individuals whose expressed opinions or actions can have the effect of influencing or intimidating them because of the power they can exercise through their positions. Such interference with the process, as well as reprisal when the deliberations have been completed, against any committee member, witness, the grievant, or any other participant in the proceedings shall constitute a flagrant disregard for the integrity of the grievance procedure and persons unfavorably affected shall have the right to file a complaint requesting appropriate sanctions.

Within 21 calendar days from the closing of deliberations, the chair of the committee shall submit to the President a written report of the committee's findings and conclusions signed by a majority of the seven committee members. A copy of the report shall be sent to the grievant. Within twenty-one (21) calendar days of receipt of the committee's report, the President shall respond in writing to the report and in such response shall detail the reasons for accepting or rejecting the findings and conclusions contained therein. The decision of the President is final.

A grievant who happens to be a member of the UFAC cannot render a decision on their own process and must be replaced by an alternate until the person's grievance is disposed of.

B. Procedure for Faculty Members who are not Members of an Academic Department or who do not have a Supervisor under their Dean (e.g., a chair)

In such situations, the grievant shall institute the procedures as follows:

1. The grievant shall state the person's grievance in writing for presentation to the person's divisional dean.
2. The dean shall meet with the grievant within ten (10) calendar days of receipt of the grievance. The grievant may be accompanied by two individuals of their choosing.

Members of the University community who accompany the grievant will be permitted to discuss the grievance, while the role of those outside the University community will be limited to support of the grievant. The dean shall issue their decision or recommendation within 10 days of the meeting. At this stage, the grievance may be resolved and terminated. If no resolution results at this step, the dean's recommendation with reasons and all relevant documents shall be forwarded to the provost, and the grievance shall move to Step 3 Meeting with Provost, described above and in #3 here.

3. The provost shall meet with the grievant and the person's chosen representatives within ten (10) calendar days of receipt of the grievance. The same conditions as above apply to the people accompanying the grievant. The grievance shall be discussed with the provost who shall render a written decision or recommendation with reasons no later than ten (10) calendar days after the meeting. If there is a settlement, the grievance shall terminate at this Step; if no, it moves to Step 4 University Faculty Appeals Committee as described above.