

Faculty Rights and Responsibilities Committee End-of-Year Report for AY 2014/15

The Faculty Rights and Responsibilities committee co-chairs met and/or consulted (confidentially) with 8 faculty considering filing grievances from Fall 2014 to Spring 2015. Not all cases have been resolved. One grievance is pending.

The issues driving the grievances included:

- Denial of tenure
- Bias in department's NTT process
- Unsupportive work environment
- Unfair merit evaluation
- Unfair hiring practices

Looking forward, the committee's co-chairs propose that the FR&R committee be better informed within the grievance process cycle and, thus, be better able to help potential grievants. Currently there is no formal notification to the FR&R co-chairs once a grievance has been settled. Section 7-E of the faculty handbook includes a provision that the Senate president, with written consent from the grievant, will send a copy of the panel's decision and other material to the FR&R co-chairs. This provision is certainly understandable considering the confidentiality of the process.

We suggest there be a way to always debrief the FR&R co-chairs once a case is resolved regardless of the case's outcome or origin (since some faculty could file a grievance without consulting the committee). This has less to do with closure and more with better preparing the co-chairs to provide helpful counsel to future grievants. The form of such a report is less important than ensuring some type of feedback indicating the rationale for case resolutions.

Also, we draw the Senate's attention to a possible language clarification in the Faculty Handbook. Section 6A (4) of the handbook states:

"A faculty member who is either an accused or a complainant under these policies may seek advice from the Academic Senate President and the Senate Committee on Faculty Rights and Responsibilities, recognizing that such communications are not confidential or legally privileged."

This is certainly reasonable considering the nature of issues covered in Section 6.

Our question has to do with Section 7, which addresses other types of grievances, the ones typically addressed by our committee. What is the level of confidentiality to be assumed by and communicated to potential grievants in these situations? The handbook currently makes no

mention of this, unlike Section 6. We can understand the differences in circumstances, but we also want to be responsible when we counsel faculty.

On one hand, including similar language about the absence of confidentiality in Section 7 may dissuade some faculty from seeking consultation. But, there very well may be a level of confidentiality that would be appropriate. Historically, we've told those we counsel that what they say will be kept confidential. At the least, including an articulation of the level of confidentiality in Section 7 would be helpful.

Finally, we include a note of thanks to Connie Roque for assisting us in coordinating our consultations with faculty.

Respectfully submitted,

Prof. Ayse Imrohoroglu, Co-chair

Prof. Steve Bucher, Co-chair