

FAQ: Grievance Subcommittee

1. What is a grievance?

A grievance is defined as an alleged misinterpretation or misapplication of a specific article or section of the Contractual Agreement. Sample cases are here. [insert link to page with sample cases].

2. Who can file a grievance?

A grievance may be filed by any Faculty Member, a group of Faculty members, or the Association.

3. Is there a form I have to fill out in order to file a grievance?

No, but here is a sample template [insert link to PDF file] to guide you in drafting your grievance.

4. Who is involved in a grievance?

The Faculty Member, at each step of the process, may elect to invite an advisor/observer to be present. Welfare recommends that this person be from this committee, but this is not a requirement. Likewise, at each step of the process, the Administrator may elect to invite an advisor/observer to be present.

5. Can these meetings be recorded?

Court reporters shall not be allowed to attend and record such meetings except by mutual consent.

6. How is a grievance filed?

Grievances are submitted in writing, signed by the alleged grieving Faculty Member(s) and will list the specific articles or sections violated. In addition, the alleged incident will be detailed with a specified remedy requested. Copies need to be presented to the appropriate Dean/Director with notification to the Association.

7. How soon after an incident does a grievance need to be filed?

Within ten (10) instructional days of the time a grievance arises or when the cause of the grievance could reasonably have been known by the grievant. However, in no case more than 40 instruction days for the individual grievant after the cause of the grievant.

8. What happens after I file a grievance?

Within eight (8) instruction days after notification of the grievance a meeting will take place between the Faculty Member and the Dean/Director and/or appropriate designee and a representative of the Association if requested by the Faculty Member. The Dean/Director shall give the Faculty Member and the Association a written answer within eight (8) instruction days after the meeting.

9. Does a grievance stay in my personnel file?

The Office of Human Resources is charged with the responsibility of maintaining official files for all grievance cases. These files shall include a record of meeting dates, times, participants, evidence submitted and all written communication

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regarding each case. These grievance files shall be kept separate from all other personnel files.

10. Who has access to these files?

Only the following individuals shall have access to these files: The Board of Trustees, The President, Vice Presidents, Director of the Office of Human Resources or designee, Chairperson and Vice Chairperson of the Grievance Sub-Committee, and Legal counsel retained by the Association.

The grievant Faculty Member, the Grievant's designee and immediate supervisor shall have access **only to the case at issue** for the Faculty Member.

11. Who should I talk to if I am not sure if I have a grievance?

Any member of Welfare or its subcommittee, Grievance, can assist you.

12. I am nervous about filing a grievance and want to remain anonymous. What are my options?

The Board and the Association recognize the importance of orderly and peaceful labor relations for the mutual interest and benefit of the Board, Faculty Members and the Association. Even so, the process can be intimidating. In some cases, the Association may choose to file an Association grievance based on the incident of one Faculty Member.

13. What happens if my incident doesn't involve Instructional Deans?

The grievance shall be initiated at Step 2 of the Grievance Procedure.

14. What part of the Faculty Contract explains Grievances?

See Section E (pages 51-53) of the 2007-2011 Contractual Agreement.

15. What is an example of a remedy?

In the case of a grievance found in favor of the grievant, the remedy should be what is asked for in the grievance itself. Sometimes the grievant, Association and administration come to a joint agreement in writing that, though it may differ from the remedy on the grievance, is found to be fair and sustainable by all parties.

16. What if my incident involves a board policy?

Your incident would follow the FARB process. See section F of the 2007-2011 Contractual Agreement.

17. Where can I find information about recent grievances filed?

Grievance updates are made at Senate Meetings. Consult the minutes of those meetings for the latest information. In addition, Grievance Notes are periodically posted on the COD Faculty Association website.

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18. Who are the members of Welfare and Grievance Committees?

A listing of the current membership is available on the COD Faculty Association Website.