

1 **Part C. Faculty Grievances.**

2 If the grievance concerns any of the discrimination or harassment sections in GEN 1.2(1) through (8), the
3 grievance is made according to the process outlined in that section of this handbook.

4 **FAC 9.C.1. UWS 6.02 {Grievances} of the Wisconsin Administrative Code, Rules of the Board of**
5 **Regents.**

6 **UWS 6.02 Grievances.**

7 The faculty of each institution shall designate a committee or other appropriate faculty body to hear faculty
8 grievances under rules and procedures established by the faculty of the institution in conjunction with the
9 Chancellor. The committee or faculty body shall have the power to conduct hearings and fact-finding re-
10 lated to the grievance and to recommend solutions to the grievance to the Chancellor. If the committee or
11 other body makes recommendations to the Chancellor, the Chancellor shall act on the recommendations
12 within 30 days. The decision by the Chancellor on the recommendation of the committee, or on the griev-
13 ance in the absence of committee recommendation, shall be final except that the board, upon petition of a
14 grievant or the committee or other faculty body, may grant a review on the record.

15 History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. Register, April, 1989, No. 400, eff. 5-1-89.

16 **FAC 9.C.2. Definitions.**

- 17 (1) The term "grievance" is used in two senses here. It denotes first the distress or dissatisfaction
18 caused by perceived unfair treatment or violation of rights or in general unsatisfactory working
19 conditions. It also denotes a formal appeal for relief from such distress or dissatisfaction. Any
20 grievance in the first sense may be the subject of a formal grievance unless it is a reaction to
21 substantive academic judgments made in the course of evaluating faculty for renewal, tenure,
22 promotion, salary adjustments or other such personnel decisions.
- 23 (2) As a formal statement, a grievance differs from a complaint in focusing upon the undue effects
24 experienced by the grievant rather than upon the alleged misconduct of another and in seeking
25 relief for the grievant rather than punishment for an offender.

26 **FAC 9.C.3. Grievance Procedure.**

- 27 (1) An aggrieved faculty member shall seek to eliminate the cause of the grievance by informal
28 means, via discussion or consultation or an exchange of correspondence. If the informal effort
29 fails to resolve the problem to the satisfaction of the faculty member, he or she may file a written
30 grievance containing the information described in FAC 9C.4., below. Two or more faculty mem-
31 bers with identical grievances may file the formal grievance jointly.

32 Formal grievances should normally be filed with the Dean of the aggrieved faculty member's col-
33 lege. If a grievance concerns actions of the Dean or other administrators who report to the Vice
34 Chancellor, the grievance shall be filed with the Provost and Vice Chancellor. If the grievance
35 concerns actions of the Provost and Vice Chancellor or other administrators who report to the
36 Chancellor, it shall be filed with the Chancellor.

37 A formal grievance must be filed within sixty calendar days of the date upon which the grievant
38 became aware of the action(s) or condition(s) being grieved, unless the time for filing is extended
39 by the agreement of all parties to the grievance. The amount of time consumed by informal efforts
40 to resolve problems or by college or departmental grievance procedures shall not affect the dead-
41 line for filing a formal grievance under this chapter.

- 42 (2) All grievances shall undergo administrative review, as follows. Within ten working days after re-
43 ceiving a written grievance, the administrator or his/her designate shall initiate a review of the
44 grievance, interviewing all persons thought to be knowledgeable about the grievance and examin-
45 ing all pertinent documents. The person conducting the review shall then prepare a formal written
46 response to each specification of the grievance and shall forward his/her response, together with
47 copies of all documents considered during the review, to the grievant and to all persons whose
48 actions have been grieved and to the chairperson of the Faculty Hearing Committee. The formal
49 response shall be submitted within thirty days after the review has begun unless the deadline is
50 extended by mutual agreement of the grievant and the administrator responsible for the review.

1 (3) If the administrative review fails to resolve the problem to the satisfaction of the grievant, the grie-
2 vant may file a request for review by the Faculty Hearing Committee. If the request follows admin-
3 istrative review, it must be filed within ten working days after the grievant has received notice of
4 the results of the administrative review.

5 Following the procedures outlined in the sub-chapter titled "Faculty Senate Hearing Committee,"
6 the chairperson of the Faculty Hearing Committee shall convene a subcommittee of five faculty
7 who shall review the grievance and within ten working days determine if there exist sufficient
8 grounds for a hearing. If the subcommittee decides to deny the grievant a hearing, its chairperson
9 shall inform the grievant in writing of the reasons for the denial and shall distribute copies of its ra-
10 tionale to the Chancellor and other parties to the grievance. If the subcommittee decides that a
11 hearing is warranted, it shall conduct its hearing in accord with the procedures outlined in the sub-
12 chapter titled "Faculty Senate Hearing Committee." It shall complete its hearing within thirty work-
13 ing days unless because of extenuating circumstances the deadline is extended by mutual
14 agreement of the grievant and the chairperson of the subcommittee or by order of the subcommi-
15 tee. At the conclusion of the hearing, the subcommittee shall transmit its findings and recommen-
16 dations to the grievant and to other parties to the grievance and to the Executive Committee of
17 the Faculty Senate for submission to the Chancellor.

18 (4) Within thirty days after receiving the recommendations of the hearing subcommittee, the Chancel-
19 lor shall render a formal, written decision on the grievance. Copies of the Chancellors decision
20 shall be sent to the grievant, other parties to the grievance, the members of the hearing subcom-
21 mittee, and the Executive Committee of the Faculty Senate.

22 **FAC 9.C.4. Required Form for the Presentation of Grievances.**

- 23 (1) A description of the acts or conditions which gave rise to the grievance and the dates upon which
24 the acts or conditions occurred or were made known.
- 25 (2) An explanation of the ways in which the acts or conditions constitute unfair treatment or violation
26 of rights or otherwise are injurious to the grievant.
- 27 (3) Evidence to support the statements in a and b above.
- 28 (4) A statement of the relief sought by the grievant.
- 29 (5) An account of the informal efforts undertaken to remedy the grievance and an explanation of why
30 the grievant considers the efforts to have been unsuccessful.

31 **FAC 9.C.5. Records.**

32 All documents submitted in support of a grievance shall become part of the permanent record, and shall
33 accompany the grievance through all steps of consideration.

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