

Augusta University

Policy Library

Faculty Grievance Policy

Policy Manager: Office of Faculty Affairs

POLICY STATEMENT

The Faculty Grievance Committee of Augusta University shall be a standing committee of the Augusta University Faculty Senate (AUFS). The Faculty Grievance Committee shall act to implement the policies and procedures established by the Faculty of Augusta University for the resolution of faculty grievances. This policy describes procedures established by the AUFS for the handling of faculty grievances.

REASON FOR POLICY

The AUFS recognizes that disputes involving faculty members may occur and has created the Faculty Grievance Committee to establish policy and oversee such disputes.

The establishment of the Faculty Grievance Committee is congruent with the principles of shared governance and the specific responsibility that the faculty has in the governance of faculty matters. The purpose of the Faculty Grievance Committee (FGC) shall be to: 1) review and provide peer evaluation of disputes involving faculty which have not found resolution through established processes and procedures up to the level of the dean or equivalent; 2) provide due process for and just settlement of otherwise irreconcilable grievances; and 3) provide recommendations for addressing/resolving grievances deemed grievable to the Provost and the President. Collectively, the actions of the FGC should help ensure the institutional integrity of Augusta University and safeguard the academic freedom of its faculty.

CONFIDENTIALITY

It is expected that the grievant, respondent(s), witness(es), committee members and all other participants in the faculty grievance process will maintain confidentiality throughout the entire process and after the process is complete in perpetuity, unless otherwise required by law or another binding authoritative body.

AFFECTED STAKEHOLDER AND ORGANIZATION(S)

Because the Faculty Grievance Committee is a committee of the AUFS, any faculty member who is a voting eligible member of the AUFS may file a grievance with the committee under the procedures outlined in this document.

This grievance procedure may be used by a voting-eligible faculty member who holds a concurrent administrative or staff appointment equivalent to a 1.0 FTE appointment. However, only matters within the terms and conditions of the faculty appointment (teaching, research, and/or service) may be considered. Matters within the terms and conditions of the administrative or staff appointment may be addressed only through available administrative or staff grievance procedures. Faculty who are separated from the institution at any time prior to or during the grievance process, even if such separation occurs during an ongoing proceeding, may utilize this grievance procedure as outlined below:

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Next Review: 3/2029

- a) A faculty member who is dismissed from the institution cannot utilize the grievance process as outlined here. S/he should consult [Section 8.3.9 of the USG BOR Policy Manual](#). If the faculty member is dismissed during an active grievance to the Faculty Grievance Committee (FGC), the grievance is terminated.
- b) A faculty member who resigns or retires from the institution cannot utilize the grievance process outlined here, except in a case where the faculty member identifies a potential grievance related to unequal or unfair treatment in the receipt of benefits as a result of separation. If the faculty member has an active grievance at the time of separation, the grievance is terminated.

In all instances described above, as part of its monthly report to the Office of Faculty Affairs (see Reporting section), the FGC will provide a summary of the issues and concerns identified in active grievances at the time of separation. All faculty members shall retain their right to appeal any action or decision to the President and to the USG Board of Regents, pursuant to [USG BOR Policy 6.26](#).

This grievance procedure may not be used by residents, part-time faculty, administrative faculty without rank, staff, or individuals with graduate student titles (such as assistant instructors and teaching assistants). These individuals should address grievances through the policies and procedures established for their constituent groups.

DEFINITIONS

These definitions apply to these terms as they are used in this policy:

Days	Workdays, exclusive of University designated holidays unless otherwise stated.
Faculty Grievance Committee (FGC)	The Faculty Grievance Committee (FGC) shall be a standing committee of the AUFS. The FCG members will be selected by the Council of Chairs.
Faculty Grievance Committee Chair (FGC Chair)	The FGC Chair shall be elected by the members of the FGC on an annual basis. The Chair shall be responsible for appointing the members of the two subcommittees, but may not serve on either subcommittee, unless no other member of the FGC is able to serve and serving on a subcommittee would not result in a conflict of interest. The FGC Chair will be responsible for overseeing the grievance process and will make every effort to ensure that the Faculty Grievance Policy is followed. The FGC Chair shall also work with the AUFS to fill FGC vacancies.
Grievability Subcommittee (GS)	The Grievability Subcommittee (GS) shall include five (5) members who are appointed by the FGC Chair. The GS is responsible for reviewing a faculty grievance and determining if it is considered grievable in accordance with this policy.

Grievance Hearing Officer (GHO)	The individual who will preside over a Grievance hearing. This individual is appointed by the FGC Chair from among the FGC members and cannot be a voting member of either the Grievability or Grievance Hearing Subcommittees considering the grievance at hand.
Grievance Hearing Subcommittee (GHS)	The Grievance Hearing Subcommittee (GHS) is appointed by the FGC Chair from among the members of the FGC to consider a faculty grievance, review the action(s) taken, and make a recommendation for addressing the grievance to the Provost.
GHS Chair	The GHS Chair is elected from the members of the GHS appointed to hear the case. The role of the chair is to prepare and submit the subcommittee's written recommendation.
Grievance	<p>Defined as a complaint arising from a work situation that is judged a deviation from, misinterpretation of, or misapplication of, reasonable practice or policy that has harmed the grievant. A grievance will not be permitted where prohibited by law, statute, or regulation. Where the substance of the grievance is covered by another university policy (see Appendix A for a sample list), a grievance may only be filed if the faculty member (1) has not been afforded due process in the application of the policy or in the investigation of the policy violation, or (2) the faculty member believes that the application of the policy has been inequitable when compared to other faculty. This definition is meant to be as inclusive as practical. The findings of a committee may be grounds for a grievance, but the findings of individual committee members, generally, are not. These formal procedures will only be available to a faculty member who has sought relief through a department, school, or unit's internal grievance procedure.</p> <p>For a formal grievance to be considered, the faculty member must submit a written grievance, which identifies the respondent(s) and includes the written notice of the administrative decision from the earlier attempts at resolution, a summary of the grievance, a list of specific grievances, a declaration of a desired outcome, and desired steps for the President to consider for reconciliation. This document should generally not exceed two pages.</p>
Grievant or Grievant Party	A faculty or a group of faculty from Augusta University who has/have filed a grievance with the FGC.

Respondent or Respondent Party An employee of Augusta University, or a group of these, who have been named in a faculty grievance as having harmed a faculty member.

Timelines The intent of the FGC is to handle grievances in as timely a manner as possible. The timelines indicated in this document indicate the usual expectations of the Committee. It is recognized, however, that there are instances in which holidays, graduation, or other events might interfere with the committee's ability to meet these time frames. As long as the Committee makes a reasonable effort to meet the stated time frames, the proceedings of the Committee should not be questioned. Where possible, significant delays should be agreed upon ahead of time by the Grievant and the Committee.

PROCESS & PROCEDURES

Faculty members of the Augusta University community shall have the right to seek redress of grievances after the matter has received appropriate administrative hearing or disposition according to the scope of responsibility, accountability, and professional ethics of the individual or group so petitioning. Faculty members are afforded protection for seeking redress as outlined in the Augusta University [Non-Retaliation Policy](#). Faculty members are strongly encouraged to utilize mediation as outlined in the Augusta University [Alternative Dispute Resolution \(Mediation\) Policy](#) to resolve disputes before filing a formal grievance under this policy. Faculty members who have retained counsel with regard to the subject matter of the grievance, have given notice that they intend to or have initiated legal action for that grievance (or matters related to the specific grievance) have nullified their right to request a formal grievance review and the grievance proceeding shall be immediately terminated upon information that such has occurred.

The processes outlined herein only apply to grievances as defined under the definition of grievance above.

Section 1. Procedures for Faculty Grievance

- A) Steps before filing a grievance: 1) A faculty with a grievance shall first discuss the grievance with an immediate supervisor if appropriate. 2) If a resolution of the grievance is not achieved at this level, the resolution of a grievance shall be pursued at each administrative level up to the level of the Dean or the appropriate administrative officer of the Unit in which the complaint arises. In addition, the faculty is strongly encouraged to utilize the services of the ombudsperson and university advocate to aid in mediation prior to filing a grievance with the FGC.
- B) Steps of the Grievance Process:
 - 1) **Filing a Grievance.** A grievant who is not satisfied with the outcome of the procedure outlined in Section 1.A above may initiate a formal Grievance by filing a written Grievance Summary (See Appendix B) with the FGC Chair. The Grievant must include with the

Grievance Summary the written notice of the administrative decision from Section 1.A. [The grievant may proceed to file a grievance with the FGC in cases where no written notice from the final level in Section 1.A is received within 14 days of a written request by the grievant.] Generally the committee will expect that the Grievance Summary will be filed within 90 working days upon receipt of the decision; failure to follow this timeline will be weighed in considering the grievance.

- 2) **Assessing Grievability.** Once a grievance has been filed, grievability will be determined as follows:
- a) The FGC Chair will appoint a 5-member Grievability Subcommittee (GS), usually within 7 days after receiving a written grievance. The GS should not include any representative from the department or unit from which the grievance is initiated, but may include at least one representative from the College where the grievance originates. Once the membership of the GS is determined, the FGC Chair will inform the Grievant of the GS composition. The Grievant may make a request to the FGC Chair to remove a member of the GS within three (3) days of notification of the GS membership. The FGC Chair has discretion in determining whether the member will be removed, and a replacement appointed.
 - b) The GS should meet as expeditiously as possible, generally within 7 days from the date the subcommittee was appointed. It will: (1) Determine if the grievant has adequately pursued the established procedures within the appropriate administrative unit for the resolution of the stated grievance. (2) Determine whether the complaint meets the criteria of a grievance as defined in this policy. (3) Determine if a reasonable and practicable desired outcome for the Grievant has been stated. Because the institutional hierarchy of a unit is not always clear to faculty not a part of that unit, it is recommended that the GS, prior to issuing their report to the FGC Chair, consult with Office of Faculty Affairs to validate that 1) the grievance is not under the jurisdiction of another law, statute, regulation, or university policy; 2) the named respondent(s) are in fact correctly identified as the supervisor(s) in question (should the grievance involve a supervisor); and 3) the proper chain of command has been followed by the Grievant.
 - c) The GS should submit its written recommendation of “Grievable” or “Not Grievable” and its reasons for the determination to the FGC Chair and the Grievant within five (6) days of meeting. A template for the GS Decision Letter is provided as Appendix C. If the Grievant disagrees with the determination of grievability the FGC Chair shall submit the grievance, the response if any, and the decision of the GC to the AUFS Executive Committee (AUFSEC) for a final decision.

In cases where the grievance is deemed “Grievable” and there are multiple grievants, multiple respondents, and/or multiple grievances, the GS will also include in its decision letter a recommendation about how to move forward in structuring the hearing or hearings for the grievance.

- 3) **Granting a Hearing.** If a grievance is deemed “Grievable” by the GS, and confirmed by the AUFSEC if appealed, the following formal Policies will be followed:
- a) The FGC Chair shall appoint, usually within 5 days, a Grievance Hearing Subcommittee (GHS) of 3, 5 or 7 members of the FGC and a Grievance Hearing Officer (GHO). The GHO nor any member of the GHS should be a member of the college of the grievant or the respondent. The preference is that, when possible, the GHS should consist of 7 members, however, the number may be reduced to 3 or 5 members, depending on the availability of members from the FGC.
 - b) The FGC Chair will prepare and deliver, in writing, to the Grievant, Respondent, GHO and GHS a Grievance Hearing Notice that will include the Grievance Summary, the names of the GHS, a copy of the Grievance Policy, and tentative date(s), time, and place for the Grievance Hearing. Any future changes to either the composition of the GHS or details regarding the hearing should be communicated to all involved parties by the GHO. The Grievant and Respondent can each request from the FGC Chair to remove a member of the GHS within three (3) days of receipt of the Grievance Hearing Notice. The FGC Chair may either appoint a replacement or remove a GHS member, such that the GHS’s composition is an odd number. Before proceeding, the GHO and members of the GHS will sign a statement indicating they have no conflict of interest in participating in the hearing for the stated grievance.
 - c) The GHS will meet with the GHO and elect a GHS Chair, as well as receive from the GHO other appropriate materials such as evidence, testimony, or written record. The GHO and GHS will adhere to the minimum procedures as outlined below in Section 4 and in Appendix D. Additions or changes to these procedures may be permitted after discussion with the FGC Chair, as long as these changes serve only to ensure due process for the Grievant and the Respondent.
- 4) **Conducting a Formal Hearing.** The GHS and GHO shall establish and pursue its own procedures for conducting its inquiry, so long as those procedures afford due process for all parties and include at least the following:
- a) The GHS, in consultation with the necessary parties, may exercise its judgment as to whether the hearing should be made public or private.
 - b) During the proceedings, necessary parties shall be permitted to have an advisory counsel of their choice, such as a friend, colleague or aid. The advisory counsel cannot take part in the hearing. While advisory counsel could be a lawyer, if such counsel has been retained for the grievance being filed, then the hearing will be disallowed, as per the “Processes and Procedures” listed above. The GHS will be permitted to have advisory counsel.
 - c) At the request of the Grievant, the Respondent, the GHO, or the GHS Chair, the University Ombuds or Faculty Advocate shall be permitted to attend as an observer.
 - d) An auditory recording and/or transcript of the proceedings shall be kept and made available to the Grievant and/or the Respondent if an appeal is filed. Otherwise, the

recording and/or transcript will only be made available in accordance with the [Georgia Open Records Act](#) (O.C.G.A. §50-18-70 et seq).

- e) An oath of affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia.
- f) The GHO may grant adjournments as it deems appropriate to enable either party to investigate evidence as to which a valid claim of surprise is made.
- g) The Grievant and the Respondent shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence.
- h) The Grievant, the Respondent, and the GHS will be afforded the opportunity to question all witnesses testifying at the hearing. Where a witness cannot or will not appear, but the GHS determines that the interests of justice require the admission of his or her statement, the GHS will identify the witness, disclose the statement, and, if possible, provide for questioning.
- i) If the proceedings request testimony from a witness who is a faculty member with rank, but the faculty member refuses to provide testimony about the professional dispensation of his/her duties relevant to the grievance, the AUFSEC may be notified that the witness is in contempt of the Faculty Grievance Committee unless the GHS determines that there are valid and sufficient extenuating circumstances to support the refusal by the academic faculty witness to provide testimony.
- j) The formal grievance hearing is not a legal trial, will not be bound by strict rules of legal evidence, and may admit any evidence that is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All questions relating to admissibility of evidence or other legal matters shall be decided by the GHO and the GHS.
- k) The purpose of the Grievance Hearing Subcommittee is to determine if the alleged facts on which the grievable decision were based can be found to be true by a preponderance of the evidence. If yes, the GHS will determine if the decision was consistent with policy and/or practice, and/or if the Grievant was afforded due process.
- l) The recommendation of the GHS will be based solely on the hearing record.
- m) Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by any party should be avoided until the proceedings have been completed, including consideration by the Board of Regents in the event an appeal is filed.
- n) Suspension of GHS process: Once a grievance has been filed and a GHS has been designated, the process may be suspended at any time if: (1) the grievant retires, resigns, or is separated from the University; (2) the grievant withdraws the grievance; or (3) the grievant retains counsel with regard to the subject matter of the grievance, or the University learns that the grievant intends to or has initiated legal action for

that grievance.

The GHS process may also be temporarily suspended upon the request of both parties. The purpose of a temporary suspension of the grievance in these circumstances is to allow the parties to reconcile or allow for third-party mediation. Should reconciliation by the parties or third-party mediation occur, the grievance will be terminated only by acquiescence of both parties, or under the conditions described above in this section.

A sample script for the hearing is provided as Appendix D.

5) Steps to be Taken Post Hearing. Once the hearing is concluded:

- a) The GHS shall, within 5 days, meet in private and prepare a written report of its findings of fact and of its recommendations for administrative action with the Chair of the Faculty Grievance Committee. The GHS shall keep minutes of its meetings and such other records of its activities as it deems necessary and shall at its discretion include information derived there from its reports to the Provost of Augusta University.
- b) The FGC Chair shall immediately distribute the report, along with a summary of the process that was followed, to the Provost. The Provost retains the right, upon review of the report, to ask the GHS to consider changes to the report. If the GHS declines to make the changes, the Provost may submit a report along with the GHS report. Once the report is finalized, the Provost will then report to the President, the Office of Faculty Affairs, the FGC Chair, GHO, GHS, Grievant and Respondent.
- c) Within 7 working days of receipt of the report, the President shall give written notice of his/her decision to all parties who received the report of the Provost. The President may choose to give the matter further study by invoking the option to establish an ad hoc review committee.
- d) In the event that a necessary party feels that the GHS has not complied with the policies and guidelines for the formal Grievance Procedure set forth herein, said party shall have the right of appeal to the AUFSEC for review, provided that the appeal is made within 30 days of notice of the ruling of this GHS to that party.

All proceedings should be held as expeditiously as possible. Total time from receiving a grievance through a report to the President should generally take about 45 working days.

Section 2. Disposition of Materials Collected

Upon completion of each grievance, all materials and records related to the grievance will be shared on a secure Box folder owned by the Chair of the Grievance Committee and shared with all members serving on the GHS. A new Box folder will be created for each grievance. Members of the GHS can take written notes and/or printed materials during the hearing. The GHO will destroy all personal notes/printed

materials used as reference by a GHS member throughout the process after the GHS submits its final recommendation. At the conclusion of the hearing and GHS final recommendation, all materials will be transferred to the Office of Faculty Affairs via a secure Box folder. Human Resources will be responsible for maintaining the hearing recording. The findings and recommendations of the Faculty Grievance Committee and its subcommittees are defined as public documents under the [Georgia Open Records Act](#) (O.C.G.A. §50-18-70 et seq).

Section 3. Right of Appeal – Appeals to the Board of Regents

Election by a faculty member, to use these rules and procedures shall not affect the right of such person to appeal to the Board of Regents as provided for in [USG BOR Policy Manual Section 8.3.9](#).

REPORTING

The FGC Chair will submit an oral report each month to the AUFS at its regular meeting, to include a brief description of the nature of each grievance, the types of issues involved, the actions taken, and its status or outcome. The report will also provide an update on grievances that have been completed or are in continuation since the last monthly report.

An annual written report, inclusive of a summary of the information outlined above, will be filed by June 30 of each year with the AUFS and the Office of Faculty Affairs.

In its monthly and annual reports of its activities and findings, the Committee shall preserve anonymity of the cases.

FORMS AND RELATED DOCUMENTS

[USG BOR Policy Manual Section 6.26](#) – Application for Discretionary Review
[\(https://www.usg.edu/policymanual/section6/C2714/\)](https://www.usg.edu/policymanual/section6/C2714/)

[USG BOR Policy Manual Section 8.3.9](#) – Discipline and Removal of Faculty Members
 [\(https://www.usg.edu/policymanual/section8/C245/#p8.3.9_discipline_and_removal_of_faculty_members\)](https://www.usg.edu/policymanual/section8/C245/#p8.3.9_discipline_and_removal_of_faculty_members)

[Augusta University Faculty Senate Bylaws](#)
[\(https://www.augusta.edu/universitysenate/\)](https://www.augusta.edu/universitysenate/)

Augusta University [Alternative Dispute Resolution \(Mediation\) Policy](#)
 [\(https://www.augusta.edu/compliance/policyinfo/policy/alternative-dispute-resolution-mediation-policy.pdf\)](https://www.augusta.edu/compliance/policyinfo/policy/alternative-dispute-resolution-mediation-policy.pdf)

Augusta University [Non-Retaliation Policy](#) [\(https://www.augusta.edu/compliance/policyinfo/policy/non-retaliation.pdf\)](https://www.augusta.edu/compliance/policyinfo/policy/non-retaliation.pdf)

APPENDICES

Appendix A – Policies Violations not Covered by Faculty Grievance policy

Appendix B – Sample Script for Grievance Summary

Appendix C – Template for Grievability Subcommittee Decision Letter

Appendix D – Sample Script for Grievance Hearing Subcommittee

APPROVED BY:

Executive Vice President for Academic Affairs and Provost, Augusta University

Date: 3/18/2024

President, Augusta University

Date: 3/18/2024

APPENDIX A - Policies Violations not Covered by Faculty Grievance Policy

Below is a list of Augusta University policies that govern specific behavior and operations of the university. This list is not intended to be all inclusive, and where other policies exist that govern faculty matters, these policies will take precedence over the Faculty Grievance policy. Violations of these policies will be investigated as outlined in the policy and are outside the purview of the FGC, except in cases where the faculty member who is a respondent under investigation for the policy violation feels that they have not been afforded due process in the application of the policy or in the investigation of the policy violation, or the faculty member believes that the application of the policy has been inequitable when compared to other faculty. The faculty member may grieve the due process or the inequitable application of the policy.

Policy	Subject Matter
Academic Rights and Responsibilities	Complaints involving academic freedom; applies to faculty.
Accommodating Employees with Disabilities Policy	Complaints involving disabilities; applies to faculty and to staff.
Amorous Relationships	Complaints of inappropriate amorous relationships between employees; applies to faculty and to staff.
Anti-Sexual Harassment	Complaints involving sexual harassment; applies to faculty and to staff.
AU Workplace Rules	Covers a variety of workplace issues; applies to faculty and to staff.
Contract Renewals	Complaints involving contract renewal; applies to faculty.
Ethics	Complaints involving ethical conduct; applies to faculty and to staff.
Faculty Removal	Complaints involving faculty removal for cause; applies to faculty.

Individual Conflict of Interest	Complaints arising from conflicts of interest; applies to faculty and to staff.
Non-Retaliation (Whistleblower Protection)	Complaints of retaliation related to reporting policy violations or acting as a whistleblower; applies to faculty and to staff.
Non-discrimination Anti-harassment	Complaints involving discrimination or harassment; applies to faculty and to staff.
Outside Activities	Complaints involving outside activities; applies to faculty and to staff.
Responding to Allegations of Research Misconduct	Complaints involving research conduct; applies to faculty, staff, and students.
Title IX	Complaints involving sexual harassment of students; may apply to faculty and to staff who are named as respondents
Travel	Complaints regarding violation of travel policies; applies to faculty and to staff.

APPENDIX B – Sample Script for Grievance Summary

Below is an example structure of a grievance summary. The information may be presented in a paragraph/narrative form, but all underlined elements need to be included. The summary should not exceed two typed pages (font 11 or larger).

Date:

To: *(name/title of the Grievance Committee Chair, AU Faculty Senate)*

From: *(name/title/department/college or respective AU unit)*

Dear Grievance Committee Chair,

I am writing to request a peer-evaluation of a work-related situation that has adversely affected my _____*(career/ability to perform my duties/work environment/freedom of expression/etc)* and which I have not been able to resolve with appeals to the Dean of __ *(include appropriate college or equivalent Augusta University unit).*

Nature of the grievance: *(Briefly describe the grievance. A grievance can have multiple parts/points that should be listed individually.)*

Respondent: *(Identify who you are grieving against- name, title, which part of the grievance they are a Respondent to if the grievance has multiple parts and multiple Respondents)*

Harm caused: *(Briefly identify the adverse outcome(s).)*

Steps taken to date to resolve the situation: *(Include a statement of what steps you have taken to resolve the grievance, the outcome of each step, and what supporting documents you have that show who/when/what. You may, but are not required to, submit these at this time. You do need to identify them, though.)*

Requested Resolution/Outcome: *(List the actions that you would like the AU President to take to resolve the situation or mitigate the adverse impact it has had.)*

APPENDIX C – Template for Grievability Subcommittee Decision Letter

This template can be modified to reflect the issues at hand for each Grievance.

Date: _____
To: _____ (name/title)

Chair of the Grievance Committee, Augusta University Faculty Senate

From: _____ (name/title)

Chair of the Grievability Subcommittee of the Grievance Committee, AUFS

Dear _____,

The Grievability Subcommittee for the Grievance dated ____ (date of the Grievance) by __ (name/title of the Grievant) met on __ (date of the meeting; specify whether in person or electronic) and discussed the Grievance. All attempts were made to maintain privacy of the discussions. We concluded (unanimously/ by majority) the following:

Grievance (or Grievance issue 1, if it's a multi-part grievance): ____ (Grievable/Not Grievable), because it __ (conformed with/violated) the definition of a grievance as stated in the AU Faculty Grievance Policy and/or the Board of Regents of the University System of Georgia's Human Resources Administrative Practice Manual, as listed at the end of this letter. Specifically, ____ (list specific points that influenced your determination of grievability.)

(If the Grievance has more than one issue/point, render a decision for each individually.)

Furthermore, the Grievant states that __ (he/she) __ (has/has not) received satisfactory resolution of the grievance from the Dean of ____ (name the appropriate college/ AU unit).

All members of the Grievability Subcommittee: ____ (list the names) have reviewed and approve the content of this letter.

Sincerely,

____ (signature, Chair of the Grievability Subcommittee)

Definition of Grievance in the AU Faculty Grievance Policy (p. 2):

(Put the current definition of Grievance here)

Board of Regents of the University System of Georgia's Human Resources Administrative Practice Manual: Employee Relations *(put the section # here)*:

A grievance or disciplinary review will be available to handle claims that a person has been harmed by any action that violates the policies of either the institution or the Board of Regents of the University System of Georgia ("the Board of Regents") or for requested disciplinary review pursuant to the University System policy, entitled Dismissal, Demotion or Suspension.

A grievance will not be available to dispute:

- *promotion and tenure decisions,*
- *performance evaluations,*
- *hiring decisions,*
- *classification appeals,*
- *challenges to grades or assessments,*
- *challenges to salary decisions,*
- *challenges to transfers or reassignments,*
- *termination or layoff because of lack of work or elimination of position,*
- *investigations or decisions reached under the institutions Harassment Policy, and*
- *normal supervisory counseling.*

In addition, these formal procedures will not be available to a student or employee who has chosen to seek relief through a department, school, or unit's internal grievance procedure unless such procedure failed to provide a fair and impartial hearing and an adequate mechanism for appeal or review.

APPENDIX D – Sample Script for Grievance Hearing Subcommittee

Grievance Hearing Script

I) INTRODUCTORY STATEMENTS

A) I am _____, Grievance Hearing Officer for this Faculty Grievance Hearing Subcommittee (GHS).

B) The Grievance Hearing Subcommittee for this grievance is:

- 1) _____ (Chair of the GHS)
- 2) _____
- 3) _____
- 4) _____
- 5) _____
- 6) _____
- 7) _____

C) APPOINTMENT OF AUTHORITY

We have been appointed in accordance with Augusta University Faculty Grievance Policy to hear the grievance filed by (Grievant's name).

D) DUTIES OF THE SUBCOMMITTEE

It is the function of this subcommittee to hear and review all pertinent facts of this case, giving both parties the opportunity to present their respective side of the issues involved. It is not contemplated that any decision will be made today. Rather, the subcommittee will review the record of this hearing and submit its written recommendation to the Chair of the Faculty Grievance Committee.

E) GENERAL RULES OF THE HEARING PROCEEDINGS

Each party will be allowed to present documents and the testimony of witnesses if so desired. I will authorize the introduction of any evidence into the record, which may be of probative value to the subcommittee in determining the issues involved. The subcommittee's findings will be based entirely on the hearing record. (Grievant), the burden of proof is on you to sustain your allegations by appropriate evidence. (Respondent), you will have the opportunity to respond.

Please note that times have been established and communicated to both the Grievant and Respondent for each portion of today's hearing. If questions arise during any portion from the

subcommittee, the time will be stopped for the question to be answered. We will try to adhere to the times listed as the committee is cognizant of teaching and time obligations for all participating parties.

II) PROCEEDINGS

The Faculty Grievance Hearing Subcommittee is now in session for the hearing of this case.

A) ADMINISTRATION OF THE OATH

All persons who expect to testify will please stand and be sworn at this time. (*After Oath*) All witnesses except the parties should leave the room at this time until called to testify.

B) ACKNOWLEDGEMENT OF ASSISTANTS

GRIEVANT'S ASSISTANT (*if applicable*)

(Grievant), I understand that you are being assisted at this hearing today by _____.

RESPONDENT'S ASSISTANT (*if applicable*)

(Respondent), I understand that you are being assisted at this hearing today by _____.

C) READING OF THE GRIEVANCE

The grievance which you have registered is as follows. (*Read grievance*)

Is the grievance statement correct as read?

Have any issues been resolved before we go on?

We will now begin the examination of the case.

D) TESTIMONY OF GRIEVANT

(Grievant), you have ___ minutes where you may present a brief opening statement. Thereafter, please proceed to present evidence in support of your case. Any evidence which will assist the subcommittee in reaching a decision should be admitted into the record at this time. This evidence was shared electronically with the Subcommittee and the Respondents prior to today's hearing and will now be entered into record.

E) TESTIMONY OF GRIEVANT'S WITNESSES

(Grievant), you now have ___ minutes for your witnesses to testify. Please tell us which witness you would like to testify first. (*Get witness from hallway*)

You may proceed with your testimony.

Does anyone have any questions for this witness before they are dismissed? (*Repeat steps in II.E for each witness*)

F) CROSS EXAMINATION BY RESPONDENT/COMMITTEE MEMBERS

(Respondent), you have ___ minutes to ask *(Grievant)* relevant questions.

G) TESTIMONY OF RESPONDENT

(Respondent), you have ___ minutes where you may present a brief opening statement. Thereafter, please proceed to present evidence in support of your case. The evidence that was shared electronically with the Subcommittee and the Grievant prior to today's hearing will now be entered into record.

H) TESTIMONY OF RESPONDENT'S WITNESSES

(Respondent), you have ___ minutes for your witnesses to testify. Please tell us which witness you would like to testify first. (*Get witness from hallway*)

You may proceed with your testimony.

Does anyone have any questions for this witness before they are dismissed?

I) CROSS EXAMINATION BY GRIEVANT/COMMITTEE MEMBERS

(Grievant) you have ___ minutes to ask *(Respondent)* relevant questions.

J) GRIEVANT'S CLOSING STATEMENT

(Grievant) you may now present your closing statement (___ minutes).

K) RESPONDENT'S CLOSING STATEMENT

(Respondent) you may now present your closing statement (___ minutes).

L) GRIEVANT'S REBUTTAL

(Grievant) do you wish to rebut the closing statement presented by *(Respondent)*? (___ minutes).

III) ADJOURNMENT

The record is now closed, and no further evidence will be received. No other type of contact should be made with the subcommittee members by either party during deliberation.

The Faculty Grievance Hearing Subcommittee is adjourned so that it may review the evidence in closed session. The subcommittee will submit its findings and recommendations to the Chair of the Faculty Grievance Committee within five days.

We thank you for your participation in this process. You may withdraw from the hearing room.

APPENDIX E – Template for Notice of Grievance Hearing

DATE

NOTICE OF GRIEVANCE HEARING

The Grievance (attached) filed by faculty member, NAME, on DATE, naming NAME, as a respondent, was reviewed by the Grievability Subcommittee and was deemed “Grievable” according to the AU Grievance Policy (attached).

As per the Grievance Policy, I have appointed a Grievance Hearing Officer (GHO), NAME (College of NAME), and a Faculty Grievance Hearing Subcommittee (FGHS) consisting of the following members:

- NAME (College of NAME)

Should either the Grievant or Respondent have a reason to exclude a member of the FGHS, s/he should submit their request to me, as the Chair of the Grievance Committee of the Augusta University Faculty Senate, within 3 business days of delivery of this notice. A date and location for the hearing will be coordinated by the GHO. The GHO will contact you with further details. Any questions regarding the Hearing should be addressed to NAME. Any questions about the grievance process should be addressed to me.

Respectfully,

NAME

Grievance Committee, Chair

Augusta University Faculty Senate

ACADEMIC TITLE

Department of NAME