

GRIEVANCE COMMITTEE POLICIES AND PROCEDURES

I. PURPOSE AND NATURE OF THE GRIEVANCE COMMITTEE:

The Grievance Committee serves as an informal channel for mediation between members of the English Department, or between a member and the Director of the Department, if a conflict arises. It is a voluntary and optional mechanism to try to solve such conflicts without moving beyond the Department level, and without invoking more formal institutional procedures. The decisions and positions of the Grievance Committee are non-binding, meaning that there is no enforcement mechanism and that implementing the decisions depends entirely on the disposition and good faith of those involved.

Initiating a grievance is a voluntary choice made by a complainant. By choosing this alternative, the complainant demonstrates a preference to resolve the conflict in a non-confrontational manner. The complainant always has recourse to other institutional procedures, but choosing those procedures automatically terminates this “departmental” alternative. Since this is a voluntary procedure, the person against whom the grievance is made (the respondent) must also indicate his/her willingness to accept the involvement of the Grievance Committee.

All deliberations on any grievance, whether active or not, will be held in the strictest of confidence and will not be made public at any time unless those involved decide to present the issue to the department.

If a grievance cannot be mediated to the satisfaction of those involved, and/or the Grievance Committee has not reached an acceptable solution to the issue, then the Grievance Committee relinquishes jurisdiction over the complaint and assumes NO RESPONSIBILITY for how other individuals in the department handle that issue. The complainant and/or the respondent can then present the issue to the department for its consideration according to Section 25.5 of the General Regulations of the University of Puerto Rico.

II. CONSTITUTION OF THE GRIEVANCE COMMITTEE

This committee has no official status in the university structure outside of the English Department.

The committee is composed of five (5) members elected by the English Department in a meeting with established quorum. Any full-time professor is eligible to serve on the

committee; tenure and rank are irrelevant. The members of this committee will serve a two (2) year term and can be reelected immediately following their term. In the event that a committee member's term expires before an election can be held to find a replacement, he or she remains an active member of the committee until such time that the English Department can elect a replacement.

In case a grievance is made against a member of the Grievance Committee, the member will not participate in matters pertaining to the specific grievance to assure the purity of the procedure.

If a grievance has not been resolved or relinquished at the time that a new committee is elected, at least three (3) of the members of the old committee are responsible for completing the mediation process in this particular case, even if their terms have expired.

Each year, the committee elects a chair and a secretary from among its members. The chair will head the committee. The secretary will take the minutes, prepare committee documents, and maintain the committee's files. At least three (3) members of the committee must be present in all meetings and/or proceedings. In the case of absence of the chair or the secretary in meetings and/or proceedings, the remaining members of the Grievance Committee will perform those duties.

All files related to the Grievance Committee will remain in the possession of the secretary during the academic year. At the end of the academic year, they will be stored in the Associate Director's office for the duration of the summer recess or until a new secretary has been elected.

III. SCOPE OF THE GRIEVANCE COMMITTEE'S WORK

The Grievance Committee limits its attention to problems among professors, teaching assistants, administrative personnel, and laboratory/computer technicians within the English Department.

The Grievance Committee cannot and will not deal with student/professor issues. For those concerns, the university has provided a Student Ombudsperson (*Procuradora Estudiantil*).

The Grievance Committee cannot and will not by any means intervene in the workings of any other departmental committee.

IV. PROCEDURE WHEN PLACING A GRIEVANCE

Before placing a grievance the Committee assumes that the department member has attempted to resolve the issue through the proper means; that is in first instance directly with the party (ies) involved, and if not, with the Department Director or Associate Director.

If a grievance is made against the Director or Associate Director of the Department, the complaint can go directly to the committee.

If the grievance is directed towards one or more individuals the general procedure is the following:

1. The complainant addresses his/her grievance in writing (hard copy) to the Grievance Committee.
2. With the grievance, the complainant will include any supporting evidence of the complainant's case, such as relevant documents, and the names of possible witnesses including a brief description of their testimonies.
3. The complainant must provide the respondent (s) with copies of all documentation presented to the Grievance Committee.
4. The respondent is given 7 working days to present his/her written response to the grievance, with any supporting evidence of his/her case, such as relevant documents, and the names of possible witnesses including a brief description of their testimonies.
5. Since this procedure relies on voluntary submission of all parties involved, if the respondent rejects the participation of the Grievance Committee, he/she will do so in writing to the Grievance Committee and the complainant. In this case, the Committee will formally notify the complainant of said intention and relinquishes all duties related to the issue.
6. If the respondent agrees to the Grievance Committee's participation, and after receiving supporting evidence from all parties, the committee sets the dates within seven (7) working days to hear each party's case and review any evidence.
7. After meeting with all parties and reviewing all supporting evidence, including testimonies from witnesses, the committee will meet to review, discuss, make decisions and provide specific suggestions related to the situation.

V. DECISIONS

A. If Committee finds that the complaint does not merit any further consideration on the part of the committee:

- Such decision will be communicated to all parties in writing.

B. If Committee finds that the complaint merits further consideration, within seven (7) working days of reaching a decision, the committee should arrange a meeting to communicate that information to the parties involved:

- The committee communicates its decisions/suggestions to all parties in the meeting. An attempt is made for all parties to agree to the solution(s) the committee suggests. If all parties agree to the suggestions, the committee assumes that the grievance is then closed and informs all parties of this in writing. Any party, if not satisfied, has the right to oppose the committee's position and can present written arguments against it within seven (7) working days of the meeting where the suggestions were submitted.
- In the case of dissatisfaction with the committee's decision, the committee will reconvene within seven (7) working days after receiving written notification of the opposition, to consider the arguments and – if the committee finds the arguments convincing – attempt to offer another solution.
- As above, within seven (7) working days, the committee will communicate its position in writing to all the parties and seek agreement/acceptance.
- Under no circumstances will the committee go beyond three (3) meetings at the stage of finding/offering suggestions. The committee is not obligated to have three (3) meetings to seek alternative solutions if it feels that one or more parties are not “acting in good faith”.

C. If Committee finds that there is no solution, either because their three (3) suggestions were not accepted by the parties or its members couldn't reach an agreement over the issue, the Grievance Committee will relinquish its jurisdiction over the complaint:

- The Grievance Committee will return documentation to those who provided it, or will destroy the documentation once the committee has relinquished its responsibility in a case. A brief record will be maintained indicating: complainant, respondent(s), date and number of meetings held, and date of resolution or other status in which the grievance left the committee's hands.

All minutes and documents related to resolved and relinquished grievances will be destroyed twenty (20) working days from the date the grievance was resolved or relinquished in order to ensure confidentiality.