GRIEVANCE PROCEDURE FOR ACADEMIC OR CLINICAL SPECIALISTS AND FULL-TIME LECTURERS

From time to time within the University Community, disputes may arise between a Clinical or Academic Specialist or a 2.8B or 2.8F Lecturer and a Department Chairperson (or equivalent unit supervisor), Dean, Provost, or other administrator in which there are allegations of inequitable treatment or violation of University policy or procedures in some action that affects the individual. Administrators should work carefully to avoid such situations and, should they occur, make every effort to resolve them before they become formal grievances. Similarly, these individuals should understand that mediating a formal grievance will involve a major investment of their colleagues’ time, and should use the procedure only to resolve important issues.

When such a dispute arises, it is important that the parties work in good faith to resolve the situation informally, as quickly as possible. The aggrieved individual should attempt to meet with the person whose action is the focus of the dispute in order to discuss and resolve the situation. If resolution is not achieved, he or she should attempt to meet first with his or her immediate supervisor and then with the Dean in order to make them aware of the situation and discuss paths to resolution. If these attempts at informal resolution are not successful, a Clinical/Academic Specialist (WICHE classifications 2.7) or a Full-Time Lecturer (WICHE classification 2.8B and F) has the right to pursue a grievance through the following procedure.

When an individual in one of these employment categories believes that he or she has been subject to a violation, misinterpretation, or inequitable application of the provisions of the Faculty Handbook or other applicable published University, College, or unit regulations or has otherwise been treated unfairly or inequitably, after discussing the matter with his or her immediate supervisor and with the College Dean, if the individual is not satisfied with the outcome of these discussions, he or she may file a written grievance with the Office of the Provost. The grievance must be filed within three months of the individual becoming aware of the grievable event. The grievance should state the nature of the complaint, the name of the person against whom it is directed, and a proposed remedy. If the grievance involves an allegation of sexual harassment or of discrimination prohibited by law or by University policy, the grievance shall be investigated by the Office of Institutional Diversity and Equity (OIDE) prior to the creation of the Mediation Committee described below. Following the resolution of any such sexual harassment/discrimination issues, any remaining grievable issues shall be addressed in the manner described below except that neither the Mediation Committee nor the Provost shall have the authority to overturn or modify the findings or remedies ordered at the end of the OIDE investigation.

Within ten (10) working days of the receipt of the grievance by the Provost's Office, the Provost (or his or her designee) will select, by rotation, a three-person Mediation Committee to investigate the grievance and to make recommendations to the Provost for its resolution. The three individuals shall be chosen from pools of Teaching Faculty, and Clinical/Academic Specialists, or Full-Time Lecturers depending on the job classification of the grievant. These pools shall be established by the Provost in consultation with the Senate Agenda Committee at the beginning of each academic year. The Faculty pools shall contain the names of at least five individuals from the appropriate job category chosen in the same manner and willing to serve if

1 Promulgated by the Provost and reviewed by the Faculty Senate Agenda Committee, April, 1992.
Each Mediation Committee shall consist of two Teaching Faculty members and one individual chosen from the pool of persons in the same job classification as the grievant. However, in no instance shall an individual be selected who is involved with the grievance, with the circumstances surrounding it, or who would tangibly benefit from a particular outcome. If the establishment of a Mediation Committee follows an investigation by the Office of Institutional Diversity and Equity, a member of the OIDE staff shall also serve as a member, *ex officio*, of the Mediation Committee to insure that its recommendations are in accord with any findings/orders that may have resulted from its investigation.

The Mediation Committee shall elect a chairperson from among its members, meet with the parties, consider relevant documents, hear witnesses, and conduct whatever investigation it deems appropriate. If asked to meet with the Mediation Committee, the grievant may be accompanied by a member of the Northeastern University community. No outside counsel (for the grievant or any other party to the grievance) may be present at any of the Mediation Committee hearings. At no time shall the Committee be bound by rules of evidence, but shall, at all times, conduct itself in accordance with principles of justice and fair play. It may attempt to mediate between the parties or to propose informal resolutions for the consideration of the parties. If the Committee fails to secure a settlement agreeable to the parties, it shall conclude its business by submitting to the Provost a formal written report of its activities and a recommended resolution. If the Provost is the person against whom the grievance is initially filed, the University President shall receive the report and recommendation from the Mediation Committee and perform the duties stated in the next paragraph.

The Provost shall, within ten (10) working days of this report, resolve the grievance and transmit this conclusion in writing to the involved parties, to the unit supervisor, the Dean of the College, and to the Mediation Committee chairperson. The Provost may, but is not required to accept the Mediation Committee’s recommendation. The Provost’s determination shall be binding on the parties and shall close the grievance. No further grievance or appeal on the issues thus resolved may be pursued by either party once this procedure has been completed.

If, during the course of a grievance, the grievant’s University employment terminates for any reason, the grievance shall be discontinued, except that when the grievance involves non-renewal of contract, the grievant may request, in a writing to the Provost, that the grievance be continued.