

# **DENTAL SCHOOL FACULTY GRIEVANCE PROCEDURES**

## **Introduction**

The University of Maryland System (UMS) recognizes that legitimate problems, differences of opinion, complaints, and grievances will exist in the daily relationship between the university as an employer and its employees. It is the responsibility of all supervisors, administrators, managers, faculty and employees to establish and maintain a work climate within which an employee problem or complaint may be promptly identified, presented, discussed and given fair, timely consideration.

Each person involved has an obligation to make every effort to resolve employment relation problems as they arise. Each employee shall have the right to make known the problem or complaint without fear of coercion or reprisal. Although the employee is expected to present the grievance, he/she may, nevertheless, rely on non-legal representation.

## **Procedures**

All matters concerning promotion, non-retention, tenure denial, assignment and interpretation or application of university rules and departmental procedures over which the Dental School has control which directly and adversely affect the grievant may be the source of a faculty complaint or grievance. But no decision may be made at any step of the grievance procedure which conflicts with or modifies a policy approved by the Board of Regents of the university, any applicable statute or administrative regulation, or any directive issued by a university official having authority over the Dental School unless prior approval has been obtained from the responsible official. Neither the adoption nor the use of these procedures should be construed to supersede, delay or otherwise affect any notices to faculty dealing with their status, for example, notices of employment termination or tenure denial actions.

### **Step One - Departmental Chairman - Informal and Formal Stages**

Grievances must be initiated within thirty (30) days of the action involved or within thirty (30) days of the employee having reasonable knowledge of the act. Appeals shall be timed from receipt of the written opinion of management or from when such opinion is due, whichever comes first.

The aggrieved faculty member, hereafter referred to as employee, and/or his/her designated representative at this step may:

1. Present the grievance orally to the department chairman for the purpose of informal discussion. If the grievance is unresolved after three (3) school days, the employee may appeal to Step 2. The appeal to Step 2 must be in writing and must be filed within three (3) school days;

**OR**

2. Present the grievance in writing to the department chairperson for formal consideration. If the grievance is presented to the chairman, the chairman shall within five (5) school days after the receipt of the written grievance hold a conference with the aggrieved and/or a designated representative and shall, within five (5) school days after the conclusion of the conference, render a decision in writing to the aggrieved and/or a designated representative. In the event the aggrieved employee is not satisfied with the decision rendered at this step, he /she and/or a designated representative may appeal in writing to Step 2 within five (5) school days.

It is the responsibility of both the faculty member and chairman to continue to review the matter thoroughly, earnestly and in detail, either privately or with the help of others who are directly involved with the grievance.

It is the responsibility of each chairman to use his judgement in keeping his superiors informed on the status of each grievance and, as necessary, to request guidance, the assistance of advisory committees or other assistance consistent with departmental policy. If, after thorough discussion, either the employee or the chairman feels the need for aid in arriving at a solution, they may request the campus Personnel Department to provide resource staff or they may invite any other available resource personnel to participate in further discussions. The addition of such participants shall not relieve the chairman and the employee from responsibility for earnestly attempting to resolve the problem.

If the complaint is brought by a department chairperson or other faculty member with an administrative appointment, the grievance should be presented to the employee's immediate supervisor.

#### Step Two - Grievance Committee - Procedure and Decision

The grievance appeal shall be presented in writing to a Grievance Committee, with a copy to the dean. The Committee shall consist of six (6) full-time faculty members elected by the faculty as a whole for a term of three (3) years. One-third of the committee will be replaced each academic year to provide rotation and ensure continuity. At least one, but not more than two, committee positions shall be occupied by a department chairman or person of equivalent administrative rank. At the beginning of the academic year, the committee members shall elect from their number a chairman, to whom appeals shall be addressed.

Within seven (7) school days after receipt of the written grievance, the committee shall hold a hearing with the aggrieved and/or a designated representative and shall render a written recommendation to the dean within ten (10) working days after the conclusion of the hearing. The recommendation of the Committee will be based upon a 2/3 vote of those members present. It is the responsibility of the chairperson of the Grievance Committee to keep the dean informed of the status of each grievance and, as necessary, to request guidance, advisory committees or other assistance in finding resolution.

The employee relations staff of the campus Personnel Department shall be available to serve as resource personnel in answer to any questions by either employee or employer. However, this shall not relieve the committee from the responsibility of issuing a written recommendation to the dean.

The dean of the Dental School will meet with the grievant within five (5) days of receiving the committee's recommendation. Notice shall also be sent to the individual(s) against whom the grievance was brought who may elect to be present at this meeting if the dean so desires. The dean will review the committee's recommendation, and shall have the discretion to:

1. Uphold, modify, or reject the recommendation; or
2. Refer the case back to the committee for reconsideration.

The decision of the dean shall be final.

### **Administrative Faculty**

Although these procedures have been established primarily for the benefit of faculty in non-administrative positions, this instrument shall also apply to department chairpersons or program directors who may, in the course of events, have cause for complaint. When such grievances cannot be resolved through informal discussion, formal procedures may be initiated by appeal to the Grievance Committee at Step Two.

Faculty Council Approval: July 27, 1995

Dean's Approval: May 3, 1996

President's Approval: May 8, 1996

Attorney General's Approval: May 1, 1996



