

**East Carolina University
Faculty Manual**

**APPENDIX J
INFORMAL FACULTY GRIEVANCE
PROCEDURE FOR GRIEVANCES
INVOLVING SEX DISCRIMINATION
AND OTHER EQUAL EMPLOYMENT
OPPORTUNITY COMPLAINTS**

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I. Preamble

East Carolina University is committed to the principle of equal opportunity for all faculty regardless of rank, temporary or permanent employment status, and tenure or nontenure status. Therefore, it is university policy that no member of the faculty will suffer discrimination in his or her employment status as a member of the faculty on the basis of race, color, national origin, religion, veteran's status, gender, age, sexual orientation, political affiliation, or disability. If any faculty member believes that he or she has experienced discrimination on the basis of any of the above factors, he or she is encouraged to seek redress of the grievance by informal administrative corrective action. (Faculty Senate Resolution #03-37, October 2003)

In the belief that faculty and faculty supervisors do not intentionally discriminate on the basis of the above factors, most grievances can and routinely should be resolved in an informal manner. If the grievance cannot be resolved informally, the aggrieved faculty member should register his or her complaint with the Faculty Grievance Committee and request a formal hearing on the grievance. Procedural rules of the Faculty Senate Faculty Grievance Committee are set forth in the *East Carolina University Faculty Manual, Appendix Y. Grievance Policies and Procedures of East Carolina University*.

II. Steps in the Faculty Informal Grievance Procedure

If any faculty member has a grievance with regard to his or her employment relationship with the university alleging discrimination on the basis of race, color, national origin, religion, veteran's status, gender, age, sexual orientation, political affiliation, or disability, he or she should comply with the following procedure. (Faculty Senate Resolution #03-37, October 2003)

A. Discussion with the Department Chairperson

1. The faculty member should make an appointment with the departmental chairperson. At the time of making the appointment, the faculty member should state expressly the need to discuss a sex discrimination grievance or the equal opportunity grievance related to faculty employment status.
2. The initial complaint may be made to the chairperson in writing as a matter of record if the faculty member so desires. However, this is not necessary to initiate a complaint by the informal grievance procedure.
3. The chairperson will set an appointment date with the faculty member as soon as possible after receiving the request; but, in any event, within three working days after the request, the grievance will be discussed with the faculty member. The departmental chairperson should freely discuss the nature of the faculty member's complaint in a relaxed and informal manner making every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The faculty member will be advised of the corrective action and/or decision of the chairperson within three working days subsequent to the conference.

B. Discussion with the Dean

(School of Medicine faculty skip 2. and go directly to 3.)

1. If the faculty member's grievance is not resolved satisfactorily in conference with the chairperson, the grievance should be taken to the appropriate dean for further evaluation and consideration. The faculty member should notify the dean of the desire to discuss the equal opportunity grievance within two working days after receipt of the decision of the departmental chairperson. The dean will respond to the request for an appointment and discuss the grievance with the faculty member within three working days after receipt of such request.
2. If the initial grievance was made in writing to the chairperson, then the written complaint should be presented to the dean at the time the request is made for the conference appointment. Additionally, the chairperson should present in writing to the dean the findings and the basis for the decision at the time of the initial conference with the chairperson. The written response of the chairperson is not required unless the faculty member initially presented the grievance in writing.
3. The dean's conference should be conducted in a relaxed and informal manner with the faculty member. The dean should invite the chairperson to participate in this conference if deemed desirable or appropriate or if the presence of the chairperson is requested by the faculty member. The dean should make every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The corrective action and/or decision of the dean will be made and the faculty member notified within three working days subsequent to the conference.

C. Conference with the Vice Chancellor for Academic Affairs or the Vice Chancellor for Health Sciences and Dean of the School of Medicine

1. If the faculty member's grievance is not resolved satisfactorily in the preceding step(s), the grievance should be taken to the vice chancellor for academic affairs or the vice chancellor for health sciences and dean of the School of Medicine, as appropriate, for further evaluation and consideration. The faculty member should notify the appropriate vice chancellor of the desire to discuss an equal opportunity grievance within two working days after receipt of the decision of the dean or, in the case of School of Medicine faculty, the decision of the chairperson. The appropriate vice chancellor will respond to the request for an appointment and discuss the grievance with the faculty member within three working days after receipt of such request.
2. If the initial grievance was made in writing to the chairperson, then the written complaint should be presented to the appropriate vice chancellor at the time the request is made for the conference appointment. Additionally, the appropriate dean (in case of academic affairs division) or chairperson (in case of the School of Medicine) should present in writing to the vice chancellor the findings and basis for the decision at the time of the conference with the faculty member. The written response of the dean or chairperson is not required unless the faculty member initially presented the grievance in writing.

3. The conference with the appropriate vice chancellor should be conducted in a relaxed and informal manner. The vice chancellor should invite the dean (or chairperson in the case of School of Medicine) to participate in this conference if deemed appropriate or desirable or if the presence of this individual is requested by the faculty member. The vice chancellor should make every effort to take the corrective action necessary in resolving the grievance to the satisfaction of the involved parties. The corrective action and/or decision of the appropriate vice chancellor will be made and the faculty member notified within three working days subsequent to the conference.
- D. Appeal to the Director of Equal Opportunity Programs (Title IX Compliance Officer)
1. If the grievance is not resolved to the satisfaction of the faculty member by the vice chancellor for academic affairs or vice chancellor for health sciences and dean of the School of Medicine, the faculty member has the right to appeal the decision to the director of equal opportunity programs. The appeal must be made to the director within two working days subsequent to the decision of the appropriate vice chancellor.
 2. The director of equal opportunity will review the case in its entirety, interviewing any and all witnesses deemed necessary, including, where deemed appropriate, a conference of all parties involved with the grievance and prior decisions made in an effort to resolve the grievance.
 3. The director will render an opinion within five working days after receipt of the appeal. The decision of the director will be final and will terminate the faculty member's rights pursuant to the informal grievance procedure.
 4. If the decision and/or corrective action taken by the director is not satisfactory to the faculty member, he or she should file within thirty days subsequent to the action of the director a grievance with the Faculty Grievance Committee requesting a formal hearing pursuant to that committee's procedures for formally addressing and hearing grievances. The hearing of the Faculty Grievance Committee will be conducted in accordance with the procedures set forth in the *ECU Faculty Manual, Appendix Y, Grievance Policies and Procedures of ECU*. Conclusion of the formal hearing before the Faculty Grievance Committee and appeal of the recommended action of the committee to the chancellor will exhaust the administrative remedies of the faculty member.

Approved: Faculty Senate Resolution #94-06
17 March 1994
East Carolina University Chancellor

Amended: Faculty Senate Resolution #03-37
6 October 2003
East Carolina University Interim Chancellor