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## Policy Information

**Last Revised Date:**

February, 2011

**Policy Number:**

UHAP Chapter 6

**Responsible Unit:**

Faculty Affairs

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## Scope

### 6.01 Scope of Chapter

This chapter applies to all grievances ~~and complaints~~ by or against appointed personnel ~~of the University, including faculty,~~ that are not provided for in [UHAP Chapters 3, 4, or 5](#) and in [Arizona Board of Regents \(ABOR\) Policy Manual, 6-201](#) and ~~5 of this Handbook. Those chapters set out rules and procedures for grievances and complaints concerning personnel matters, i.e., matters regarding appointment, performance evaluation, renewal, nonrenewal, promotion, continuing status, tenure, resignation, removal, suspension, dismissal, and releases due to institutional financial emergency or reorganization.~~

~~The rules and procedures~~[6-302. Nothing](#) in this chapter ~~are established pursuant to the ABOR Conditions of Service and shall may~~ be construed ~~so as not to supersede or~~ conflict with ~~any provision contained in those conditions or any provision contained~~[ABOR Policy or other procedures outlined in UHAP Chapters 3, 4, or 5 of this Handbook.](#)

## Policy

### 6.02 General Administrative Procedures

All grievances ~~or complaints~~ by or against appointed personnel ~~shall will~~ be filed with and addressed first by the immediate administrative head of the individual about whom the grievance ~~or complaint~~ is

made. All grievances ~~or complaints shall will~~ be filed in writing no later than 90 days from the date on which the grievant becomes aware of the matter that gives rise to the grievance, except for matters related to compensation.

~~which the grievant or complainant becomes aware of the matter which gives rise to the grievance or complaint, except for compensation.~~

Grievances ~~or complaints~~ regarding compensation shall will be filed no later than 30 days from the date the grievant ~~or complainant~~ receives notice of the matter which gives rise to the grievance ~~or complaint~~.

The written grievance must include the factual basis for the complaint, a summary of any efforts to informally resolve the issue, and a proposed resolution. The written grievance is limited to 5 pages in length.

The immediate administrative head shall will review the grievance ~~or complaint~~ and develop any factual information required for a decision on the matter. The administrator may consult with standing committees or appoint a special committee or an individual to investigate review the matter. The administrator shall will communicate ~~his or her~~ their decision in writing to the grieving ~~or complaining~~ party and, if applicable, to the party against whom the grievance ~~or complaint~~ is made, stating the factual basis and reasons ~~for the decision~~. This process will typically be completed within 30 days of the administrator's receipt of the grievance, however, the administrator may extend this timeframe for good cause.

Within 10 days after receipt of the administrator's decision, the grieving ~~or complaining~~ party may appeal the decision to the next administrative level. The written appeal – no more than 5 pages in length – must outline the basis for appealing the prior decision and a proposed resolution. Additional factual development may be undertaken at the next administrative level if deemed necessary. The decision at that next administrative level is not subject to further administrative review, except as otherwise provided in this chapter.

### **6.03 Unlawful Discrimination and Unconstitutional Action Review Procedures**

If a grievance ~~or complaint~~ contains an allegation ~~of unlawful discrimination or~~, the matter will be immediately referred to the Office of Institutional Equity (OIE).

If the grievance alleges other unconstitutional action (including violations of due process or academic freedom) and this aspect of the grievance ~~or complaint~~ is not resolved through administrative review under Section 6.02, the grievant ~~or complainant~~ may request the Provost's Office to investigate review the matter. Where such a request is made, an Office of Institutional Equity or other appropriate investigation shall be conducted and a recommendation shall be made to the Provost that will consult with the administrative heads who reviewed the matter ~~be closed or that further action be taken to resolve the matter. The Provost under Section 6.02 and~~ may take any ~~lawful~~ action deemed appropriate to resolve the matter.

The Provost's decision ~~shall be~~ is final and is not subject to further administrative review.

### **6.04 Additional Grievance Procedures for Faculty and Academic Professionals**

If a grievance ~~or complaint~~ by a member of the General Faculty (as defined in Article II, Section I of the Constitution of the General Faculty of the University of Arizona) is not resolved through administrative review under Section 6.02 or Section 6.03, ~~that that~~ individual may utilize the Grievance Policy and Procedures for Faculty and Academic Professionals found in Article VII of the Bylaws of

the General Faculty of the University of Arizona [2].

If a grievance ~~or complaint~~ by a faculty member or academic professional ~~employee~~ who is not a member of the General Faculty is not resolved through administrative review under section 6.02 or section 6.03, and that grievance is for suspension without pay or dismissal, the individual may file a petition with the Committee on Conciliation and, if conciliation is not possible, then subsequently with the Committee on Academic Freedom and Tenure (CAFT~~).~~, in alignment with ABOR 6-201L and 6-302I, but following the timelines and process described in ABOR 6-201L.

#### **6.05 Protection of Employees from ~~Reprisal for the Disclosure of~~ ~~Information:Retaliation:~~ Review Procedure**

See ABOR policy 6-914 Protection of Employees from Reprisal for Whistleblowing.

## Related Information\*

[Bylaws of the General Faculty of the University of Arizona](#) [2]

[Committee on Conciliation](#) [3] web page

[Committee on Academic Freedom and Tenure](#) [4] web page

[ABOR ~~policy~~Policy 6-914 Protection of Employees from Reprisal for Whistleblowing](#) [5]

[ABOR Policy 6-201, 302](#)

## Revision History\*

Section 6.04 revised February 2011

Section 6.05 revised September 2002

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### Links

[1] <mailto:facultyaffairs@email.arizona.edu>

[2] <https://arizona.app.box.com/s/66hyca3wf0k2vrgwy2upf7soceca1hr3>

[3] <http://facultygovernance.arizona.edu/committee/45>

[4] <http://facultygovernance.arizona.edu/committee/44>

[5] <https://public.azregents.edu/Policy%20Manual/6-914-Protection%20of%20Employees%20from%20Reprisal%20for%20Whistleblowing.pdf>