UNIVERSITY OF HOUSTON SYSTEM
COLLEGE OF MEDICINE

SUBJECT: Voluntary Faculty Reappointment Guidelines

Purpose/Background

The Tilman J. Fertitta Family College of Medicine (COM) Faculty Grievance Policy applies to grievances relating to employment matters including, but not limited to, salary, hours and conditions of employment, promotions, assignment of teaching duties, allotment of resources and facilities. The COM Faculty Grievance Policy does NOT address:

- Allegations of sexual misconduct, which includes sexual harassment (Refer to UH Sexual Misconduct Policy, SAM 01.D.08).
- Allegations of unlawful discrimination and harassment (Refer to UH Discrimination and Harassment Policy, SAM 01.D.07).

Matters pertaining to fiscal management, staffing or structure of the University, non-academic matters pertaining to activities of administrative offices reporting to the president or vice presidents, or conditions that are clearly beyond the control of the University (Refer to UH Faculty Handbook).Retaliation in any form against any faculty member for presenting a grievance is prohibited and may itself by grieved. To the extent allowed by Texas law, at all stages of grievance and appeal, documents and meetings will be held confidentially; all parties to the grievance must maintain strict confidentiality at all times.

Procedure

A. Informal Process
   a. The faculty member must first attempt to resolve the grievance informally through discussions with the appropriate administrative individuals (i.e., Department Chair or Dean).
   b. If initial discussions are not successful at resolving the grievance, the faculty member must next consult the UH Ombudsman for advice and a possible process to address the grievance informally.
   c. If the informal process does not resolve the issue, then the faculty member may initiate a formal grievance process.

B. Formal Process

   General Grievance

   a. The faculty member must first submit a formal written grievance to the Dean of COM within 60 working days from the time the event initiating the grievance occurred or from the time that the faculty member, with due diligence, should have become aware of the action causing the grievance. If the faculty

member has begun efforts to resolve the complaint informally, then the 60 working day time period will not begin until the informal efforts are exhausted.

b. *Note: see below if the grievance is against the Dean of COM.*
c. The formal written grievance statement should include:
    1. Names of the parties involved in the grievance
    2. Detailed description and explanation of the grievance issues
    3. Desired outcome or remedy
    4. Documentation supporting all charges involved in the grievance
d. If requested by the Dean, then the faculty member may appear before the Dean to personally discuss the grievance. A representative may accompany the faculty member and provide advice to the faculty member but may not speak on behalf of the faculty member.
e. The Dean must issue a decision in writing, with appropriate supporting detail, within 20 working days of receiving the formal written grievance. If no decision is rendered within this timeframe, then the faculty member may submit the formal written grievance to the COM Faculty Grievance Committee (FGC) within 10 additional working days.

<u>Grievance against the Dean</u>

a. If the grievance is against the Dean of COM, then the faculty member should first submit a formal written grievance to the Chair of the COM FGC within 60 working days from the time the event initiating the grievance occurred or from the time that the faculty member, with due diligence, should have become aware of the action causing the grievance. If the faculty member has begun efforts to resolve the complaint informally, then the 60 working day time period will not begin until the informal efforts are exhausted.
b. The formal written grievance should include:
    1. Names of the parties involved in the grievance
    2. Detailed description and explanation of the grievance issues
    3. Desired outcome or remedy
    4. Documentation supporting all charges involved in the grievance
c. If requested by the COM FGC, the faculty member may appear before the committee to personally discuss the grievance. A representative may accompany the faculty member and provide advice to the faculty member but may not speak on behalf of the faculty member.
d. The COM FGC must issue a decision, in writing, with appropriate supporting detail, within 30 days of receiving the formal written grievance. If no decision is rendered within this timeframe, then the faculty member may submit the formal written grievance to the University Grievance Committee within 10 additional working days.

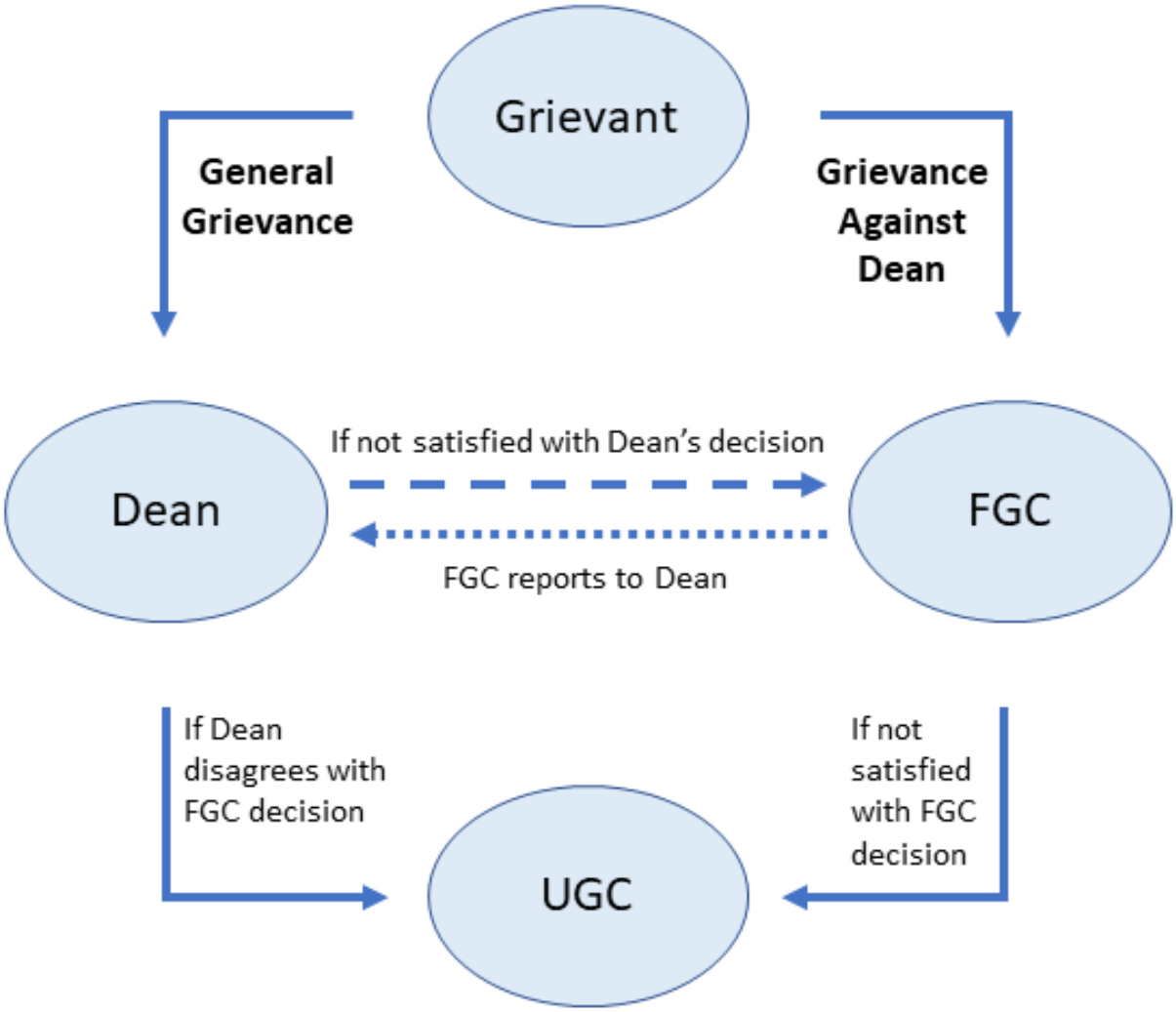
C. Appeals

a. Either party may appeal the decision of the Dean to the COM FGC or the decision of the COM FGC to the University Grievance Committee (UGC). Refer to the

University Faculty Grievance Standard Operating Procedure for details and guidance on submitting grievances or appeals.

b. Appeal of the Dean's Decision.
    i. If a party wishes to appeal the decision of the Dean, then they must submit the appeal in writing to the COM FGC within 10 working days of receiving the decision of the Dean. If the appeal is not filed within this timeframe, then the party waives the right for further consideration of the grievance.
    ii. The COM FGC must address appeals within 30 working days of receiving the written appeal. If no decision is issued within that timeframe, then the grievant may submit the grievance to the UGC within ten additional working days.
    iii. If the COM FGC is not the appropriate level for the appeal, then the party may appeal directly to the UGC.

c. Appeal of the COM FGC Decision.
    i. If the party chooses to appeal the decision of the COM FGC, then the party may submit the appeal to the UGC in writing within 10 working days of receiving written notification of the COM FGC. If an appeal is not submitted with this timeframe, then the party waives the right for further consideration of the grievance. When submitting a grievance to the UGC, a grievant must indicate whether or not the grievance has been heard at the lower level. The grievant must also provide the UGC with documentation of the final decision/outcome at the lower level to be included as part of the initial review of the grievance by the UGC.
    ii. Parties should refer to the University Grievance Policy for additional guidance.



UHCOM Formal Grievance Policy Flow Chart. Please refer to official UHCOM Faculty Grievance Policy for timelines and other details. Grievance is concluded at any point when resolution is achieved. UGC decision is final determination. Grievant, person(s) filing grievance; Dean, Dean of UHCOM; FGC, UHCOM Faculty Grievance Committee; UGC, University Grievance Committee.

Tilman J. Fertitta Family College of Medicine Faculty Grievance Committee (FGC)

A. Duties and Responsibilities
   a. Convene a hearing whenever a faculty member files a formal written grievance. Review the formal written grievance, meet with faculty member who has filed the grievance, and rule on faculty grievance.
   b. Review annually the COM Faculty Grievance Policy and report any proposed changes to the policy to the Faculty Council after receiving approval from the Office of the General Counsel.
   c. Any committee member(s) named in, or personally involved in, the filed grievance shall recuse themselves from the hearing.

B. Membership
   a. Two (2) faculty members from each of the COM Departments will be elected by the full-time COM Faculty-At-Large.
      - Biomedical Sciences
      - Behavioral & Social Sciences
      - Clinical Sciences
      - Health Systems & Population Health Sciences

      Per University Grievance Policy, college-level grievance committees must be comprised of full-time tenured faculty. Since COM Faculty are exclusively non-tenured at the present time, the COM FGC shall be comprised of full-time COM Faculty holding rank of Associate or Full Professor regardless of tenured status (*Note: this policy will be revised to accurately reflect the requirement of the University Grievance Policy when/if tenure status becomes available at COM*).
   b. No member of the COM Administration, including Dean, Assistant or Associate Deans, or Department Chairs are eligible to serve on the UHCOM FGC.
   c. The Committee Chair shall be elected by members of the COM FGC. The Committee Chair shall not vote unless there is a tie, at which time the Chair shall cast the tie-breaking vote.
   d. Committee members shall serve a term of 3 academic years. In cases where a member cannot serve the duration of the term, replacement faculty will be selected by the faculty-at-large of COM. Consecutive terms are allowed.
   e. Call for nominations and elections will be conducted by the COM Office of Faculty Affairs.

C. The Committee shall report to the Dean of the COM.

Date Originated: September 1, 2022

Date Reviewed: August 10, 2023