

Adler University Grievance Policy and Procedures

I. **POLICY STATEMENT**

A grievance may be filed by a faculty member in relation to administrative actions that the faculty member deems to be a violation of University or department policy, procedure, or established practice.

Adler University encourages its academic personnel to resolve their disagreements through informal, frank, and open discussion. However, the University also recognizes that occasionally more formal processes are needed. All such activities, whether informal or formal, must be carried out by all participants within a framework of good faith collegiality and in furtherance of the Adlerian principles of social justice. Grievance documents and formal/informal resolution meetings are confidential, and all information regarding the process shall be kept confidential within the necessary boundaries of the grievance process. The parties are expected to maintain confidentiality to ensure fairness and privacy. Individuals who file a good faith grievance will not be reprimanded or discriminated against for filing a grievance.

II. **DEFINITIONS**

A. **Informal Resolution**

An informal process for addressing grievable issues that may facilitate a mutually acceptable resolution prior to the filing of a formal grievance.

B. **Formal Grievance**

A formal grievance filed by a faculty member in relation to an administrative action(s) of the University that alleges a violation of University or department policy, procedure, or established practice. For example, areas of grievance may include (up for discussion), but are not limited to, unfair application of University policy and procedures and issues bearing on the academic freedom of a faculty member. Personal conflicts with other University employees or complaints concerning standard operating procedures are not usually subject to the grievance procedure.

C. **Grievant**

A *grievant* is a member of the faculty who has made a report that constitutes a grievance.

For purposes of the Faculty Grievance Policy, faculty is defined as follows:

1. Chicago Campus: Teaching Faculty
2. Vancouver Campus: Faculty who have voting rights as a member of Faculty Council
3. Online Campus: Program Directors/Teaching Faculty

D. Faculty Grievance Committee (“FGC”)

The FGC is an ad hoc committee of the faculty charged with reviewing grievance documentation, holding Formal Resolution Meetings, appointing mediators, and recommending resolutions. The FGC shall consist of three (3) faculty members and will include one faculty member from each of the three campuses: the Online Campus, the Chicago Campus, and the Vancouver Campus.

The formal request must be made in writing to the campus Chief Academic Officer* who will inform the Chair of the Faculty Council who will convene the Grievance Committee. The Faculty Council Chair will ensure that there is no conflict of interest with any appointed FGC members. One member of the FGC will be designated as chair.

E. Recipient

A person appointed as the head of a department chair/program director, campus Chief Academic Officer*, or separately reporting director.

F. Policy

A written statement of principles and procedures that govern the actions of faculty, academic staff, and administrators, including written rules, bylaws, procedures, or standards.

G. Practice

Actions taken by the administrator within an administrative or academic unit based on customs or standards in that unit that are usually unwritten, but of longstanding duration, and for whose existence the Grievant can offer evidence.

H. Violation

A breach, misinterpretation, or misapplication of existing policy or established practice.

I. Business Days

Weekdays (Monday through Friday), excluding any days in which the University or any of the three campuses are on break or are officially closed. The parties may agree to reasonably extend any timeframe or deadline.

J. Respondent(s)

The University employee(s) who made the decision or took the action on behalf of the University that precipitated the Grievance.

III. EXCLUSIONS

This policy applies only to issues of procedural fairness, and does not apply to substantive decisions made with regard to the following situations:

- The outcome of rank or promotion decisions; rank and promotion are faculty driven initiatives with a separate written appeal process. Faculty members wishing to appeal a rank and promotion decision will follow the procedure found in each respective campuses of the Faculty Handbook. [Chicago appendix D](#)
- Compensation; Complaints of discrimination/harassment will be filed under the University's Non-Discrimination and Anti-Harassment and/or Title IX policies. Inquiries regarding compensation that are unrelated to discrimination/harassment should first be directed to your immediate supervisor and if unresolved to the office of Human Resources. [Vancouver anti-harassment policy](#); [Vancouver title ix policy](#); [Chicago/Online title ix](#); [Chicago/Online anti-harassment policy](#)
- Evaluation of performance and/or salary adjustments; complaints of discrimination/harassment and/or Title IV violation(s) will be filed under the University's Non-Discrimination and Anti-Harassment and/or Title IX policies. Inquiries regarding evaluation of performance and/or salary adjustments that are unrelated to discrimination/harassment should first be directed to your immediate supervisor and if unresolved to the office of Human Resources. Complaints of discrimination/harassment will be filed under the University's Non-Discrimination and Anti-Harassment and/or Title IX policies. [Vancouver anti-harassment policy](#); [Vancouver title ix policy](#); [Chicago/Online title ix](#); [Chicago/Online anti-harassment policy](#)
- Termination and/or non-contract renewal. Faculty members may file a grievance under the University's Progressive Discipline Policy and Procedure found in each respective campus Faculty Handbook. [Progressive Discipline Policy](#) Complaints of discrimination/harassment will be filed under the University's Non-Discrimination and Anti-Harassment and/or Title IX policies. [Vancouver anti-harassment policy](#); [Vancouver title ix policy](#); [Chicago/Online title ix](#); [Chicago/Online anti-harassment policy](#)
- Peer related concerns or grievances; complaints of discrimination/ harassment and/or Title IV violation(s) will be filed under the University's Non-Discrimination and Anti-Harassment and/or Title IX policies. [Vancouver anti-harassment policy](#); [Vancouver title ix policy](#); [Chicago/Online title ix](#); [Chicago/Online anti-harassment policy](#) Inquiries regarding peer related concerns or grievances that are unrelated to discrimination/harassment should first be directed to your immediate supervisor and if unresolved to the office of Human Resources.
- Disciplinary action taken as a consequence of a determination of a violation of the Non-Discrimination and Anti-Harassment or Title IX policies. [Vancouver anti-harassment policy](#); [Vancouver title ix policy](#); [Chicago/Online title ix](#); [Chicago/Online anti-harassment policy](#)
- The decisions and/or actions by the President, Board of Trustees, and/or University Counsel; complaints of discrimination/ harassment and/or Title IV violation(s) will be filed under the University's Non-Discrimination and Anti-

Harassment and/or Title IX policies. [Vancouver anti-harassment policy](#); [Vancouver title ix policy](#); [Chicago/Online title ix](#); [Chicago/Online anti-harassment policy](#)

IV. INFORMAL RESOLUTIONS

The goal of this policy is to resolve disputes among individual members of the University community without resorting to a formal grievance procedure. Members of the University community must make a reasonable and good faith effort to resolve disputes with each other directly, promptly, and informally. The informal resolution procedure must be initiated no later than ten (10) days after the alleged violation of policy or established practice. Persons seeking to resolve a dispute informally may seek the assistance from academic administrators (including department chairs/program directors, chief academic officer) or administrative unit heads, as appropriate.

The focus of an informal resolution is on reaching agreement based on each party's interest rather than allowing the FGC to make a decision on who is right or wrong. Both the Grievant and Respondent are expected to enter into the informal resolution process in good faith, with the belief that a satisfactory resolution for the issue is possible and that the best possible solution for resolution rests within the Grievant and the Respondent.

The informal resolution process allows the Grievant and Respondent to approach an issue in the spirit of compromise and negotiation and leaves open the possibility for creative solutions that can realistically address both party's needs. It also allows for self-reflection on how each party may have contributed to the issue and a restorative understanding of the other party's perspective.

Both the Grievant and the Respondent will be asked to provide full and accurate information, clearly state their issue, and participate in a mutually agreeable resolution to the issue. Successful resolution of an issue will require an investment from both parties but should also ensure that both parties can look forward to a new future rather than remain tied to past events.

Where informal resolution is used to resolve the grievance, the resolution may be based on any terms that are mutually agreeable to both parties and should be written and signed by both parties.

In cases where the faculty member is unable to proceed with informal resolution due to real or perceived power differences, the faculty member may request that the campus Chief Academic Officer* appoint an impartial mediator outside the department or campus. The mediator will serve as a neutral third party who will facilitate open communication and assist the parties to generate and evaluate possible mutually agreeable outcomes. Both the Grievant and the Respondent must agree to make a good faith effort to resolve the grievance through clear and concise information regarding the issues surrounding the grievance and the remedies sought.

Informal resolutions should not exceed forty (40) calendar days after the occurrence of the action or event unless significant progress is being made toward a successful resolution and both agree to an extension.

At the conclusion of the Informal Resolution, the grievant may pursue the grievance process by directing a First Filing to the appropriate campus Chief Academic Officer and move to Step V. Formal Grievance.

V. FORMAL GRIEVANCE

STEP ONE: FILING A GRIEVANCE

If informal resolution is unsuccessful, the faculty member may file a formal written grievance against an administrator. Formal written grievances should be filed no later than ten (10) days after the conclusion of informal mediation. Prospective grievants can seek further clarification on the policy and/or the procedures to file a grievance through consultation with the AVP of HR.

1. Filing a Grievance

To file a grievance, the faculty member must submit a clearly written, signed statement (the “grievance”) to the campus Chief Academic Officer* who will then forward it to the campus Faculty Council Chair who will contact FC Chairs on other campuses to establish the Faculty Grievance Council (FGC). The grievance must contain the following information:

- a. The grievant name and current position within the University of those initiating the formal complaint;
- b. The specific University or department policy, procedure, or established practice that has allegedly been violated;
- c. The date of the alleged violation and the date on which the Grievant became aware of the alleged violation;
- d. An explanation of how the Grievant alleges that they have been adversely affected by the actions cited above;
- e. The facts relevant to the alleged violation, as well as a copy of any pertinent statement(s) of University rule(s) policy, regulation(s), policy/ies, procedure(s) contractual agreement(s), or other documents upon which the Grievant relies;
- f. The administrator(s) against whom the grievance is filed (the “Respondent”);
- g. Full documentation of all informal efforts to resolve the matter taken to date, including any timelines, dates, and relevant information, as well as the written reply from the potential respondent.
- h. The specific relief or remedy sought by the grievant.

2. Jurisdictional & Procedural Decisions

The FGC shall meet when the formal grievance has been filed to determine whether the following jurisdictional requirements have been met.

The FGC will review all information to determine if the complaint is grievable based on the following:

1. Whether the Grievant has standing under the Faculty Grievance Policy;
2. Whether the grievance has been filed in a timely fashion;
3. Whether the grievance identifies an appropriate Respondent(s);
4. Whether the grievance adequately identifies the existing policies and/or established practices alleged to have been violated;
5. Whether the grievance contains a reasonably adequate statement of the facts relevant to the complaint; and
6. Whether the grievance falls within the definition of excluded actions.

The FGC shall inform the parties in writing whether the jurisdictional requirements have been met within ten (10) days of the FGC jurisdictional meeting. If any jurisdictional requirement has not been met, the FGC shall dismiss the grievance.

The decision of the FGC at this stage is final.

STEP TWO: FGC REVIEW OF GRIEVANCE

2-1 The Respondent

If the jurisdictional requirements have been met, the FGC, within three (3) days of the jurisdictional decision, provides a copy to Respondent of the grievance and any documents submitted by the Grievant, along with the requisite jurisdictional decision to proceed, and requests that the Respondent submit a reply, including all relevant documents, within ten (10) days from the determination.

2-2 Review of Grievance

Within ten (10) business days of receipt of the reply from the Respondent, the FGC will meet and determine by majority vote either:

- i. To present a remedy or corrective action and transmit the corrective action within ten (10) business days, in writing, to the parties concerned and to the campus Chief Academic Officer*; or
- ii. If necessary, in the sole discretion of the FGC, that a Formal Resolution Meeting is convened.

If the FGC decides to present a remedy or corrective action rather than to hold a Formal Resolution Meeting, this decision shall be final.

STEP 3: FORMAL RESOLUTION MEETING

If there has been no remedy or corrective action decided, the Formal Resolution Meeting allows the FGC to clarify issues by asking questions of either or both parties.

3-1 Formal Resolution Meeting: Procedures

- i. Resolution meetings shall be scheduled as expeditiously as possible and with due regard for the schedules of both parties.
- ii. The Formal Resolution Meeting is not a judicial hearing and as such, the parties shall have no right to representation. In order to maintain confidentiality, the Resolution Meeting shall be private involving only the Grievant, the Respondent, and members of the FGC.
- iii. No audio or video recordings are permissible. The FGC shall take notes. Upon completion of the matter, the notes will be turned over to the OHR and maintained pursuant to the record retention schedule.
- iv. At any step of the grievance process, the FGC may request advice of University Counsel on legal issues or policy interpretation.
- v. The Committee Chair will convene and conduct the meeting.
- vi. Both the Grievant and the Respondent will have the opportunity to provide oral statements clarifying and/or supporting their written submissions. The Grievant and Respondent will each be given five (5) minutes for opening and five (5) minutes for closing statements.
- vii. Upon conclusion of the oral statements, the Chair will adjourn the Formal Resolution Meeting and recess the FGC into closed session. The FGC will deliberate and vote (via majority vote) on a final decision and recommendations.

3-2 Formal Resolution Meeting Determination

Within ten (10) business days after the recess of the Formal Resolution Meeting, the FGC will issue a final decision and recommendation to the campus Chief Academic Officer* of the Formal Resolution Meeting.

STEP 4: ADMINISTRATIVE DETERMINATION

Within ten (10) business days after the receipt of the FGC's report and recommendations, the campus Chief Academic Officer* shall communicate, in writing, the acceptance or rejection, in whole or in part, of the FGC's decision and recommendations. The campus Chief Academic Officer will make this determination in consultation with the Chief Academic Officers of the other two

campuses, after which a written notice of the decision to the Grievant, the Respondent, and the Chair of the FGC will be sent.

The Administrative Determination is final and not appealable, unless the parties meet the narrow Presidential appeal exception as listed in VI Appeal Procedure. No reprisal of any kind will be taken by the board, an administrator or any employee of the University against any person bringing a good faith grievance under this procedure.

*If the grievance is against the campus Chief Academic Officer (CAO), then the Grievant shall initiate informal proceedings by contacting the President.

VI. Appeal Procedure

A party may directly appeal the decision of the Chief Academic Officers to the President within (10) business days of receiving the administrative decision if the individual has a good faith belief and alleges that the Chief Academic Officers made the determination out of discriminatory bias and/or had a conflict of interest that prevented them from making a neutral unbiased decision.

In cases of Presidential appeal the President will have twenty (20) business days to review the appeal and make a decision as to whether or not to affirm the decision and or overturn it in whole or in part.

The decision of the President is final.



APPENDIX I: Steps in the Grievance Procedure

A. Informal Process

1. Informal resolution initiated (no later than 10 days after alleged violation)

Grievant seeks assistance from **Appropriate Person**; **AP** informs **Respondent**



2. **AP** requests both **G** and **R** provide full, accurate information

AP facilitates meeting between G and R to achieve mutually agreeable resolution	OR: Impartial Mediator appointed ...
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3. Grievance resolved (resolution not to exceed 40 calendar days after occurrence of action, or both **G** and **R** agree to extension)

Resolution based on mutually agreeable terms documented and signed by G & R	OR: Grievance unresolved
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Unresolved Grievance

G wishing to pursue process further then directs a First Filing to appropriate campus **Chief Academic Officer*** and moves to Formal Process

*Exception: In cases where **G** is unable to proceed with informal resolution due to real or perceived power differences, **G** may request that campus **CAO*** appoint **Impartial Mediator** outside the department or campus. **IM** serves as neutral third party who facilitates open communication and assists the parties to generate and evaluate possible mutually agreeable outcomes. Both **G** and **R** must agree to make a good faith effort to resolve the grievance through clear and concise information regarding the issues surrounding the grievance and the remedies sought.*

B. Formal Process

Step One: Filing a Grievance

Formal written grievance filed (no later than 10 days after conclusion of informal mediation). Grievance must contain following information: [... *Content not provided for conciseness*]

G submits clearly written, signed statement (the “grievance”) to campus CAO* who forwards it to campus Faculty Council Chair who contacts FC Chairs on other campuses to establish Faculty Grievance Council . The FC Chair of the Campus where the grievance was initiated remains as the FGC Chair unless the Grievance is against them.



Step Two: FGC Review of Grievance

FGC convenes for jurisdictional/procedural decisions to determine if complaint is grievable, based on the following: [... *Content not provided for conciseness*]

If jurisdictional requirements have been met, both G and R will be informed in writing within 10 days of the FGC meeting	If not, FGC dismisses grievance
FGC's decision at this stage is final.	

1. If jurisdictional requirements have been met, **FGC** provides copy to **R** of grievance and any documents submitted by **G** along with the requisite jurisdictional decision to proceed, and requests **R** to submit reply including all relevant documents within 10 days from determination.



2. Grievance reviewed: within 10 business days of receipt of reply from **R**, **FGC** meets to determine by majority vote either

Finished: Present remedy/corrective action, transmit corrective action in writing within 10 business days to G and R and to campus CAO*	OR: At sole discretion of FGC , a Formal Resolution Meeting is convened
FGC's decision to present remedy rather than hold FRM is final.	

Step Three: Formal Resolution Meeting

1. **FGC** holds **FRM** with **G** and **R** to clarify issues, following set procedures: [... *Content not provided for conciseness*]



2. **FRM** determination: within 10 business days after recess of **FRM**, **FGC** issues final decision and recommendation of **FRM** to campus **CAO***

Step Four: Administrative Determination

1. Within 10 business days after receipt of **FGC's** report and recommendations, campus **CAO* Campus CAO, in consultation with other campus CAO's**, communicates, in writing, the acceptance or rejection, in whole or in part, of the **FGC's** decision and recommendations.



2. Campus **CAO*** will make this determination in conjunction with **the CAO's of the other campuses**, after which they will send written notice of the decision to **G, R,** and chair of **FGC**.

*Administrative Decision is final and not appealable, unless **G** and **R** meet the Presidential appeal exception as listed in VI Appeal Procedure. No reprisal of any kind will be taken by the board, an administrator, or any employee of the University against any person bringing a good faith grievance under this procedure.*

**If the grievance is against the campus Chief Academic Officer (CAO) then the Grievant shall initiate informal proceedings by contacting the President.*