

Year End Report 2015-2016

Grievance Committee

Members of the Grievance Committee and their length of term are: Dr. Cathy Lee, Biology; Professor Tim Vick (one year) and Dr. Melinda Hawley (three years, chair), Business and Public Service; Dr. Karen Guffey (three years) and Dr. Mark King (two years), Humanities; Professor Susan Byars (one year) and Dr. Marwan Zabdawi (two years), Math and Physical Science; and Dr. Theresa Buchanan, Nursing and Health Sciences.

The Grievance Committee met December 2, 2015 and January 13, 2016. At its first meeting in December 2015, members (absent: Dr. Guffey) elected Dr. Hawley as chair and Dr. King as recorder. The committee agreed to schedule its next meeting when or if the committee was summoned by a grievant. On December 8, 2015, the chair and recorder were informed by email that a faculty member intended to file a grievance. The chair scheduled a meeting for Spring Semester 2016.

In the interim, the Grievance Committee members became familiar with the grievance policy of the Gordon State College Statutes; materials from the Consortium for Negotiation and Conflict Resolution and Board of Regents' Initiative and Policy on Conflict Resolution; University System of Georgia (USG); material related to discipline and termination of tenured faculty in the USG Human Resources Reference manual; the Gordon State and USG Code of Conduct (identical) for faculty; and the grievance process itself as described in the Gordon State College Statutes. The committee reviewed due process considerations contained in sections of the USG policy manual related to faculty (e.g., Section 8.3.9 of the Policy Manual [Discipline and Removal of Faculty Members], Section 8.3.9.2 of the Policy Manual).

On January 13, 2016, the Grievance Committee met to inform members of the grievance and to identify members of a Grievance Review Panel. Three Committee members made a request to be recused; therefore, the Grievance Review Panel comprised Professor Susan Byars, Dr. Theresa Buchanan, Dr. Karen Guffey, Dr. Mark King, and Dr. Melinda Hawley. The Review Panel elected Professor Susan Byars as chair.

Prior to holding a hearing, the Review Panel dedicated significant time in consideration of whether required steps outlined in Chapter Four of the Gordon State College Statutes (The Formal Grievance Process) had been taken by the grievant:

"The formal grievance procedure shall begin with the grievant making known in writing his/her grievance to his/her immediate supervisor within ten [10] days of a conflict. A grievant who feels a grievance is not satisfactorily resolved at this level shall have the right to appeal, in writing, to the supervisor's superiors, one level at a time but not including the President, allowing a reasonable period of time (at each level this time period shall be seven [7] working days during which the appropriate supervisor is actually on campus) for action at each level. All supervisory responses shall be in writing. Grievances that are not satisfactorily resolved after appeal by the complainant to each supervisory level may be taken to the Chair of the Grievance Committee in writing."

The Review Panel members initially decided that a hearing could be scheduled because the highest level of administration, excluding the president, had been included in key communication with the grievant without comment (seen as tacit endorsement). Therefore, the Panel set an initial date for a hearing date of Feb. 2, 2016. However, because the grievant had not secured the interim provost's official response to the faculty request in writing, the panel put the hearing on hold. The grievant officially sought this response; it was received January 26. At

this point the panel believed that the grievant had met the requirements to engage a faculty Review Panel and a hearing was scheduled for Feb. 11, 2016.

Dr. Byars, acting as Review Panel Chair, completed the following tasks: (1) made arrangements for the review, (2) met with the grievant and the person named in the grievance to discuss the conditions under which the review would be conducted (including identifying whom the grievant requested to be present as a non-participating adviser), (3) presided over the review itself (Feb. 11), (4) ensured the procedures were followed precisely, and (5) collaborated with Review Panel members to write a report of the panel's findings. The written report was based solely on information presented at the review. All conclusions and recommendations were determined by a unanimous vote of the panel.

Dr. Mark King created a first draft of the findings and the Review Panel members met February 18 to finalize the findings into an official letter to the President. The Review Panel edited the findings and unanimously agreed on the content of the letter. Dr. Melinda Hawley, acting in the Review Panel chair's absence, delivered the finished report to the President's office February 18, with supplementary evidence; secured an audio recording of the review; and secured evidence presented at the hearing. She sent the finished report to the grievant and the person named in the grievance Feb. 23, with supplementary information.

This concluded the panel's duties. The Panel Chair delivered all evidence to the Chair of the Grievance Committee. The Chair of the Grievance Committee shall retain this evidence in a secure fashion for three (3) years from the date of the review.

No other activities were undertaken by the Grievance Committee and Grievance Review Panel in the 2015-2016 academic year.

Respectfully submitted,
Melinda D. Hawley
Chair, Grievance Committee