

## Section XI. Discipline and Grievances

### A. Informal Resolution

Whenever possible, faculty members are encouraged to discuss and resolve any dispute or problem with his/her department head. Many issues are easily resolved and result in a fair solution when informal discussions occur at the source of the problem. However, it is recognized that this may not be possible in all cases. When an informal resolution is not possible the following alternative methods/procedures are available to faculty.

### B. Dispute Resolution Services ([DRS](#))

Dispute Resolution Services provides confidential consultation, facilitation and mediation services to all University employees. Early intervention can resolve problems without extensive and costly investments of time, energy, morale, and money. In addition, DRS provides training in conflict resolution and team building, which can bring parties to a mutually agreeable resolution of differences before they escalate into formal grievances, charges, or lawsuits.

### C. Faculty Grievance Procedures

The [University Guidelines on Grievance Procedures for Complaints of Discrimination](#) at the University of Illinois are considered to be part of these Employee Grievance Procedures. In the event of conflict between the Guidelines and these Procedures, the Guidelines will govern.

The UIC [Grievance](#) procedures define an administrative process through which faculty or instructional staff may seek resolution of complaints arising from a decision, or a refusal to make a decision, that affects their employment at the University of Illinois at Chicago or one of its sites. These procedures are intended to encourage informal means of resolving a complaint and to provide prompt, fair, and definitive resolution.

These procedures may be used by faculty on or located at the University of Illinois at Chicago campus or one of its sites for all claims arising from a decision or a refusal to make a decision about them that affects their employment (including unlawful discrimination, other than sexual harassment, which is handled separately through the Office of Access and Equity).

These procedures *may not* be used:

1. to address dismissals for cause, sanctions short of dismissal, or for other claims addressed by another formally recognized process;
2. by department heads/chairs, academic deans, equivalent directors, or vice chancellors and any individual reporting directly to the Chancellor, or any individual reporting directly to the President, except for those alleging unlawful discrimination prohibited by University policy;
3. to decide non-procedural issues relating to faculty promotion and tenure issues, except for those alleging unlawful discrimination prohibited by University policy;
4. in review of any decision by any University administrator or properly constituted board or committee relating to allocation of resources to support any unit's

- projects or programs except for decisions that the grievant alleges to have been made for other than programmatic reasons;
5. to decide non-procedural issues relating to termination or non-reappointment of non-tenure-track faculty and instructional staff, except for those alleging unlawful discrimination prohibited by University policy;
  6. for alleged violations of federal or state laws, statutes or regulations, unless covered by University policy, procedure, statutes, or rules;
  7. to redress claims other than unlawful discrimination, when redress has also been sought in any forum external to the University;
  8. by applicants for employment;
  9. by academic professional staff, for whom analogous procedures are established;
  10. by civil service employees, for whom analogous procedures are established by University of Illinois Policy and Rules--Nonacademic or applicable collective bargaining agreements; nor “extra help” employees, nor those employed by temporary services;
  11. by residents, graduate assistants or teaching assistants or other trainees, for whom analogous procedures are established.

#### **D. Severe Sanctions Other Than Dismissal for Cause**

The University [Statutes](#), Article IX, Section 6, outline guidelines for [Severe Sanctions Other Than Dismissal for Cause](#) that may be imposed on a member of the faculty. Implementation procedures were developed for the Chicago campus by the Chancellor in consultation with the campus Senate. For purposes of these guidelines, the faculty of the University and any of its units, except for the Graduate College, consists of those members of the academic staff with the rank or title in that unit of professor, associate professor, or assistant professor who are tenured or receiving probationary credit toward tenure, and those administrators in the direct line of responsibility for academic affairs (persons who hold the title director or dean in an academic unit, provost, chancellor and president). Administrative staff members not in the direct line of responsibility for academic affairs are members of the faculty only if they also hold faculty appointments.

Before such charges and a campus procedure are initiated, all attempts will have been made toward a mutual settlement at the level of the unit/College. In cases where complaints involve two or more units/Colleges, all attempts should be made to resolve them by the respective unit Heads and Deans before a campus procedure is initiated.

#### **E. Dismissal for Due Cause**

Tenure may be terminated by honorable retirement, acceptance of resignation, or dismissal for due cause. Dismissal for due cause, as defined by the University of Illinois [Statutes](#), Article X, Section 1d, is deemed to exist only if: (1) a faculty member has been grossly neglectful of or grossly inefficient in the performance of his/her university duties and functions; (2) with all due regard for statutory freedoms and protections, a faculty member’s performance of his/her university duties and functions or his/her extramural conduct is found to demonstrate clearly and convincingly that the individual can no longer be relied upon to perform his/her university duties and functions in a manner consonant with professional standards of competence and responsibility; or (3) a faculty member has, during his/her employment by the university, illegally advocated the overthrow of the constitutional form of government by force or violence.

When it appears to the President that cause for the dismissal of an appointee may exist, the President will consult with the appropriate campus Faculty Advisory Committee. If it is determined that dismissal proceedings should be instituted, the President or his/her delegate will file written charges with the Clerk of the Senate, who will see that the appointee receives a copy of the charges. The appointee may file with the Clerk of the Senate a request for a hearing before the Committee on Academic Freedom and Tenure (CAFT) and a detailed written answer to the statement of grounds for dismissal. At the appointed time and place, the CAFT will hold a closed hearing on the charges. If the committee recommends that charges be dropped and the President concurs, the case will be considered closed. If the case is not closed at this point, or if the appointee did not file a request for a hearing before the CAFT, the President may cause the charges to be filed with the Secretary of the Board of Trustees. The Secretary will notify the appointee of the filing of charges and the appointee may file with the Secretary a written request for a hearing before the Board of Trustees. The appointee will have the right to appear at the hearing with counsel, if so desired, to reply to the charges and to present evidence on his/her behalf. If the board concludes that the appointee should be dismissed or asked to resign, the effective date of such dismissal or resignation will not be less than one year from the date of the Board's decision, unless the Board determines that an earlier effective date is justified by the gravity of the appointee's cause for dismissal.