

University Faculty Grievance Committee (UGC) - Standard Operating Procedures

Prior to filing a grievance with the UGC, please consult the general faculty grievance policy on the University Grievance Committee [website](#) to ensure that all required protocols have been followed. After review of the general grievance policy, if you decide to submit a grievance to the UGC the following standard operating procedures will be followed.

Overview

All grievances and related materials must be submitted electronically, via the appropriate link on the University Grievance Committee (UGC) [website](#). Paper submissions will not be acknowledged or accepted. Please use the Grievance Template Form and related instructions supplied on the UGC [website](#) for preparing the grievance; grievances that do not use the Grievance Form and follow its instructions will be returned to the grievant without comment.

It should be emphasized that the UGC does not conduct audits, nor does it review programs or consider other concerns related to the larger practices and structures of the university. Complaints alleging sexual misconduct, which includes sexual harassment, should be filed in accordance with the University's Sexual Misconduct Policy, SAM 01.D.08. Complaints alleging unlawful discrimination and harassment should be filed in accordance with the University's Discrimination and Harassment Policy, SAM 01.D.07. Complaints based on unlawful discrimination and harassment and sexual misconduct should not be filed with the UGC. Please see the [EOS website](#) for further information on issues of unlawful discrimination, harassment and sexual misconduct. If unlawful discrimination, harassment or sexual misconduct claims are submitted to the UGC, they will be returned to the faculty member without comment.

These procedures apply to grievances related to an individual faculty member's employment at UH. Grievances are related to such matters as salary, hours and conditions of employment, promotions, assignment of teaching duties, allotment of resources and facilities. In addition, the UGC hears cases relating to tenure and promotion; however those cases are handled in accordance with specific procedures governing the grievance of tenure and promotion decisions, which may be found elsewhere in the Faculty Handbook. The UGC cannot hear cases unrelated to this scope.

The UGC is an advisory body that makes recommendations to the Provost; it does not have the authority to enforce its recommendations. The UGC helps resolve disputes; it is not a legal body, and it does not communicate or interact with grievants' or respondents' attorneys.

Submission of a Grievance to the UGC

To initiate a grievance with the UGC, a faculty member (referred to in this document as the "grievant") must use the Grievance Form provided on the UGC [website](#). Grievances must be filed electronically within sixty working days of discovering the grievable actions or circumstances.

The Grievance Submission Template Form is available through a URL link posted on the UGC [website](#). The grievant accesses the grievance form through the posted link and completes this form to supply the following required information as clearly and succinctly as possible:

- The names of the parties involved in the grievance.
- Details regarding the specific issues and actions upon which the grievance is based.
- The desired outcome or remedy.
- Documentation supporting all allegations involved in the grievance.

The completed grievance form and all uploaded required supporting documentation are maintained as a single file which is housed online through the UGC website. This information constitutes the grievance file. This online file dispenses with any need to prepare and send a PDF file. The form and information collected on the UGC website routes directly to the Chair of the UGC. There is no additional or extraneous grievance submission portal which exists outside the UGC website.

Grievances may not proceed without completion of the described online grievance form posted on the UGC [website](#) and will not be accepted by the committee. No further action will be taken.

UGC Initial Evaluation

Upon receipt of the grievance, the UGC Chair follows these initial procedures:

- Forwards a copy of the grievance to the Office of the Provost.
- Decides whether the grievance falls within the purview of the UGC and whether the evidence submitted in support of the grievance warrants a detailed investigation and/or a hearing. This decision may be made in consultation with members of the UGC, as appropriate.
- If the Chair of the UGC and/or UGC members decides that the grievance does fall within the purview of the UGC and warrants a detailed investigation and/or hearing, the Chair assigns the case to the entire UGC or assigns a subcommittee of the UGC to hear it. This decision and action is communicated to the grievant, the respondent(s) and the Office of the Provost in writing within thirty working days of receiving the grievance.
- If the Chair of the UGC and/or UGC members decides that the grievance does not fall within the purview of the UGC and does not warrant a detailed investigation and/or hearing, the Chair will communicate this decision and action to the grievant, the respondent(s) and the Office of the Provost in writing within thirty working days of receiving the grievance.
- If the UGC decides that the grievance will be investigated by the committee, the grievant and respondent(s) will be provided with an electronic link to an individualized, secure SharePoint site where any and all additional materials provided by the grievant, respondents(s) or requested by the committee as part of the subsequent grievance process must be uploaded.

UGC Procedures for Investigation

If the UGC decides that the evidence submitted warrants a detailed investigation and/or formal hearing, the UGC Chair will provide an electronic copy of the initial grievance and supporting

documentation to everyone about whom the grievant is complaining in the grievance (referred to in this document as “respondents”). This documentation will be provided to the relevant parties via a secure SharePoint site link provided by the UGC. When a respondent receives the grievance, s/he prepares a response and submits this response to the UGC Chair along with any materials relevant to the case. These materials should be submitted no later than thirty working days from receipt of the grievance by the respondent from the UGC. Materials should be submitted electronically via the secure SharePoint site link provided to the respondent by the UGC. Any materials submitted by one party will be made available electronically to the other party (i.e. both grievant and respondent).

Upon receipt of these materials, the UGC as a whole (or a duly appointed subcommittee) conducts its initial investigation. This investigation involves a close review and discussion of the written materials submitted by both grievant and respondent; at this point, UGC members may request additional written materials from either the grievant or respondent or both. Any additional materials should be submitted electronically via the secure SharePoint site link provided by the UGC. Any additional materials requested and submitted by one party will be made available to the other party.

The UGC reviews all materials submitted according to its procedural rules. Some grievances will be resolved after review of the written materials. If this is the case, a written report will be issued, in accordance with the procedures for such reports (see below). Other grievances will require a formal hearing that follows the initial review. The hearing may be conducted by the UGC as a whole, or it may be assigned to a duly appointed subcommittee. All such subcommittees shall be responsible and report to the UGC as a whole. A quorum of the subcommittee is required during all deliberations.

UGC Procedures for Hearings

The UGC or the subcommittee is responsible for conducting the formal hearing within thirty working days following the conclusion of the initial investigation, barring any unforeseen scheduling difficulties. The Chair of the UGC is responsible for scheduling any necessary oral testimony.

The grievant and respondent may be accompanied by an advocate, who may assist the grievant or respondent in presenting the case or response to the subcommittee. If an advocate is appearing with any party in the grievance, the Chair of the UGC must be informed at least 5 working days to the hearing. If an advocate is appearing with any party in the grievance then all parties to the grievance may have their advocates present during their testimony, and an attorney from the University of Houston’s Office of the General Counsel may attend as well. It is the responsibility of the grievant or respondent to communicate hearing procedures to their advocates. No advocate may present testimony instead of or on behalf of a grievant or respondent.

Hearings will be conducted as follows:

- All hearings will be electronically recorded.
- A hearing begins with opening statements from each party, beginning with the grievant. Following opening statements, the grievant will present his/her case, including his/her own testimony. The respondent(s) will then present their case, including his/her own testimony.

The grievant and respondent may call witnesses to give testimony on their behalf. Witness testimony may be limited, as appropriate, as determined by UGC members.

- If a witness is not available to testify, the UGC Chair may request or accept written testimony. The parties may object to the presentation of written testimony. If written testimony is accepted, all parties will be given an opportunity to review the written testimony and respond to it.
- Both the grievant and the respondent may present a list of questions to the UGC or subcommittee that they would like the committee to ask the other party or witnesses. UGC members will ask those questions that they deem relevant to the issues under consideration during the hearing.
- UGC members will also ask questions they deem necessary to understand the grievance and resolve the dispute.
- Any documents or any other information or things that a party wishes to present during the grievance hearing must be submitted 5 working days in advance of the hearing. Each party will be given copies of or the opportunity to review any documents, other information or things submitted by the other party.
- The grievant and respondent may review all testimony and additional documentation given in a grievance hearing and may prepare a written response. Written responses must be submitted electronically to the UGC Chair by the time specified by the UGC or subcommittee via the appropriate link on the UGC website (URL).
- If further investigation is needed, UGC members may request additional documentation or testimony following the hearing. All parties must be present during the presentation of any additional testimony following the hearing. Any additional materials requested and submitted by one party will be made available to the other party. Written responses must be submitted electronically to the UGC Chair by the time specified by the UGC or subcommittee via the secure SharePoint site link provided by the UGC. All parties will have an opportunity to respond to such additional information by a deadline specified by the UGC via the secure SharePoint site link provided by the UGC.

UGC Report and Recommendations

When the investigation and/or hearing are complete—including the review of any necessary follow-up testimony and documentation—the UGC or subcommittee meets to deliberate. This body is responsible for preparing a report of findings and recommendations.

If the grievance has been investigated by a subcommittee of the UGC, the report is first submitted to the UGC as a whole for approval. The UGC Chair then promptly transmits the report of findings and recommendations to the Provost with copies provided to the grievant, respondent(s), and other principal parties; the report will also include electronic copies of recordings of any hearings. An electronic copy of this report will be submitted via the secure SharePoint site link provided by the UGC.

The report provides the findings of fact, conclusions, and recommendations. The Provost considers the advice of the UGC and makes an independent ruling on the grievance.

The grievant and/or respondent may, by written request, be granted the opportunity to present his or her case directly to the Provost (or Provost's designee) after all UGC investigation and hearings are concluded. Parties wishing to present to the Provost must make written request to do so within 7 working days of receiving the final report from the UGC. After this 7 working day period is concluded the Provost will review the grievance and transmit the final decision and the supporting reasons to the grievant, the respondent, the UGC, and other principal parties in the dispute within 30 working days. If the grievant and/or respondent have been granted the opportunity to present their case directly to the Provost (or Provost's designee), the Provost will transmit the final decision and the supporting reasons to the grievant, the respondent, the UGC, and other principal parties in the dispute within 30 days after the grievant and/or respondent has met with the Provost (or Provost's designee). The decision and supporting reasons arrived at by the Provost is final and cannot be grieved.

UGC Records

All testimony at UGC hearings is recorded. These recordings will be saved in the UGC electronic archive. Copies of hearing recordings will be supplied to the grievant, respondent, Provost, and (if requested) UGC members. Transcriptions of recordings are not the responsibility of the UGC.

When a grievance is concluded, the complete grievance file—including the initial grievance, all supporting documentation, findings and recommendations, and recordings of any hearings—will be securely archived on the secure UGC SharePoint site for five years. The UGC will also maintain a database of grievances—which will include a brief statement of the initial grievance and the findings and recommendation—so that patterns and types of grievances may be observed over time.