



Broward
Community
College

Policy Manual

Title: Faculty Grievances Other Than Contractual Matters	Number: 6Hx2-4.15
Legal Authority: Fla. Statutes 447.01	Page: 1 of 3

It is the desire and purpose of the District Board of Trustees of Broward Community College to provide such policies and regulations and the quality administrative leadership which are conducive to good working conditions and harmonious relationships among the professional staff. It is hoped there will be few, if any, grievances to be settled outside of normal channels and procedures. This policy is predicated upon the assumption that both the Faculty member and the administrative officials involved in a grievance situation have the responsibility and duty to seek a resolution, if possible, without further involvement of other personnel. It is always possible for an individual Faculty member to have access to the President of the College by requesting an appointment with the knowledge of his/her immediate supervisor and other appropriate intermediate administrative officials. However, in order to assure equitable treatment in abnormal situations and circumstances, an established procedure for the handling of grievances other than contractual matters, as may remain unresolved after having been considered through normal and established channels and procedures, is herewith set forth as follows:

1. A grievance for the application of this policy shall be defined as an instance or action by which a Faculty member believes he/she has been treated unfairly.

2. Grievances shall initially and routinely be considered through established administrative structure as set forth in the chart of administrative organization for the College adopted by the District Board of Trustees, except that at the option and written request of the Faculty member involved to the administrative official involved, an alleged grievance against a particular administrative official shall be referred to an ad hoc advisory grievance committee (hereinafter called Committee 1) of five Faculty members for consideration which may include an investigation and a report of findings to the administrative official and the Faculty member involved. After reviewing any contributions by the ad hoc advisory grievance committee, the administrative official shall make such decision as he/she deems appropriate. The committee shall complete its work in no more than sixty days from the date of the initial written request by the grievant. Further action shall be through normal administrative channels except as provided in paragraph 4 below. Committee 1 shall be established at the direction of the administrative official involved and shall be constituted as follows: the Faculty member involved shall select two members from

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Approved by the Board of Trustees	Date 04/16/97	President's Signature 	Date 04/16/97
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among the tenured Faculty, the administrative official involved shall select two members from among the tenured Faculty, and these four members shall select the other member from among the tenured Faculty. No person shall be eligible to serve on Committee 1 who is involved in the particular grievance or in the process of its resolution, or who is in any sense partisan either for or against either or both or any of the parties involved. Each party involved in the grievance shall have the uncontested right to disqualify up to three persons from serving on the committee for each position on the committee.

3. Except as provided in paragraph 2 above, a grievance will be considered by appropriate personnel on each campus through the level of the head of the campus. Failing of resolution at the campus level, the matter shall be referred at the College administrative level to the executive officer for the College reporting to the President. If, after this appeal a resolution is not arrived at, the matter will then be referred to a special ad hoc grievance hearing committee formed and with purposes and procedures as set forth below.
4. For grievances to be considered which have not been resolved through normal channels and procedures as set forth above, and at the direction of the President, there shall be established for each case an ad hoc grievance hearing committee (hereinafter referred to as Committee 2) of five persons chosen as follows: two shall be selected from among certificated Faculty by the person who alleges a grievance; two shall be selected by the President or his designee; one shall be selected by the four individuals chosen from among the tenured Faculty as stipulated above. No person shall be eligible to serve on Committee 2 who is involved in the particular grievance, or in the process of its resolution, or who is in any sense partisan either for or against either or both or any of the parties involved. Each party involved in the grievance shall have the uncontested right to disqualify up to three persons from serving on the committee for each position on the committee.
5. After Committee 2 shall have been selected and duly commissioned by the President, the committee shall hold meetings for the purpose of interviewing witnesses and hearing evidence in the case. After Committee 2 has satisfied itself that all available relevant evidence has been presented, it shall meet in executive session to formulate its recommendations. A written report of the findings, with appropriate documentation and recommendations, shall be forwarded to the President. In the



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event the recommendations are not a unanimous decision, those in dissent may file a minority report. Recommendations made are binding on the parties to the dispute, except that each disputant may appeal the decision to the President of the College. Upon receiving the appeal, the President may affirm the decision of Committee 2 or remand it to the committee for further consideration or review the findings, possibly arriving at an independent decision, stating the grounds upon which it is based.

6. Final appeal is to the District Board of Trustees who shall, upon receiving the appeal, affirm the decision of the President or review the findings, possibly arriving at an independent decision. This procedure shall be completed in no more than ninety days from the date of the initial written request by the grievant. It is expressly to be understood that this grievance procedure is separate from, and does not in any way amend or abrogate, the policy on contractual matters set forth in that policy.