

CHE Grievance Procedures

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1.0 Grievance Procedures

Faculty and Academic Personnel Grievances (for grievances other than those related to appointment and promotion)

University grievance procedures are presented in the [Cornell University Faculty Handbook](#), and at the [University Grievance Policy](#) web site.

The grievance procedure of the College of Human Ecology, established in compliance with university policy, provides means whereby any member of the faculty or academic personnel of the college who believes himself or herself to be aggrieved can obtain consideration for redress.

These procedures have been developed to conform to the Guidelines for College-Level Academic Grievance Procedures adopted by the Executive Committee of the Board of Trustees on March 13, 1975; action by the faculty of the College of Human Ecology establishing a Grievance Committee, December 9, 1971; and the 1974-75 Annual Report of the Grievance Committee.

1.1 Grievable Action

A grievance is defined as an injustice or harm arising from a specific situation involving an act or acts of alleged unfairness that the individual regards as just cause for protest on his or her own behalf. An academic grievance procedure can be applied to the substantive or procedural aspects of any grievance arising out of the individual as execution of his or her designated responsibilities. Grievable actions might grow out of a number of separate or related aspects of those responsibilities of which the following are illustrative but not limiting: reward, academic freedom, or work assignment.

College grievance procedures are not applicable to complaints with respect to [appointments, reappointments, promotion, or any tenure decision](#).

Grievances that involve accusations of prohibited discrimination, protected status harassment, and bias activity should be directed to the Cornell University Office of Workplace Diversity, Equity and Life Quality (see Cornell University Policy http://www.policy.cornell.edu/vol6_4.cfm for examples and procedures).

1.2 Right to Grievable Action

Individuals have the right, as a condition of their employment, to seek through these formal

grievance procedures, involving the judgment of their peers, a redress of decisions made or actions taken at the department, college, or university level that they consider intolerable to the effective execution of their responsibilities.

The right to initiate a formal grievance action does not extend to circumventing or impairing the normal decision-making processes. The desire to anticipate or register unhappiness over a particular decision or action does not justify initiating a grievance procedure. Only when direct negotiations between the parties to a dispute have been exhausted and have not led to resolution, may an individual resort to the academic grievance procedure of the college.

1.3 Coverage

The academic grievance procedures are applicable to those persons holding appointments as professor, associate professor, assistant professor, visiting professor (all ranks), adjunct professor (all ranks), research scientist, principal research scientist, instructor, senior lecturer, lecturer, senior research associate, research associate, senior extension associate, extension associate, and post-doctoral associates. They are also applicable to retired professors and emeritus professors.

Academic grievance procedures are not applicable to degree candidates having appointments as teaching assistant, extension assistant, or graduate assistant. Individuals who, by their appointment, are covered by more than one college grievance procedure may choose the procedure under which they wish to pursue their particular case. An individual (or individuals) may not, however, initiate more than one grievance procedure for the same grievance at the same time.

1.4 Pre-Grievance Procedures

Individuals who believe an action taken by their department or division, the college, or the university makes the effective execution of their responsibilities intolerable should discuss the action (or actions) with their chair, head, or director concerned. If the disputed action is not satisfactorily resolved as a result of such discussion, the individual (or individuals) should discuss the problem as appropriate with an associate or assistant dean or the dean of the college.

The initiation of these pre-grievance procedures should occur as soon as possible after the occurrence of the alleged grievable action, preferably within 30 days. The Grievance Committee, a standing committee of the college faculty, is available to consult informally with the principals regarding appropriate channeling of complaints.

1.5 Grievance Procedure

In case the individual continues to be dissatisfied following pre-grievance procedures, a written complaint should be submitted to the chair of the college Grievance Committee. The Grievance Committee will consider complaints only after the principals involved (whether individuals or organizational units) have exhausted all other resources for dealing directly with their concerns.

The college Grievance Committee that considers the grievance is a standing committee of the

college faculty and is constituted according to procedures in Section [2.3.5 Standing Committees](#)

Prior to initiating their inquiry, the Grievance Committee ascertains whether any committee member is a directly affected party in the particular complaint and this member is asked to refrain from any further consideration of the issue. It is also possible for members of the committee to disqualify themselves from consideration of any issue. If the number of committee members available to participate in a review is reduced to less than three, the disqualified person(s) is replaced by other person(s) on the ballot(s) for the most recent election or by others chosen by the committee chair in consultation with the dean unless grievance is directed at action by the dean.

The Grievance Committee acts only upon receipt of a written complaint and after a determination that (1) the complaint falls within its college-based jurisdiction and (2) settlement by the principals cannot be achieved without the committee as impartial review.

The written complaint initiating a formal grievance through the college Grievance Committee should include:

1. the nature of the grievance,
2. the person(s) against whom it is directed,
3. documentation of the efforts made to resolve the issue,
4. documentation of the responses to the complaint and
5. a statement regarding other avenues of recourse available and efforts to utilize such avenues.

Within the limits of confidentiality, the college Grievance Committee seeks from the aggrieved and the griever and other parties to the facts, such additional information it considers necessary to clarify the charge(s) and resolve any discrepancies in the complaint documentation. A determination concerning the facts is made within 30 days. This determination is communicated in the form of a recommendation to the dean of the college and is also made available to both the aggrieved and the griever.

If a method for resolving the grievance is not found acceptable to the parties involved, then the committee recommends judgments about the charges to the dean and the parties involved in the grievance. All determinations and judgments regarding the grievance must be communicated in writing within 45 days of receipt of the written grievance to both the dean and to the aggrieved and the griever.

The dean may accept and act in accordance with the determinations and judgments recommended by the committee and so report to the provost, the dean of the university faculty, the department or division chair, head, or director, and to the principals of the grievance. Or the dean may forward the report of the Grievance Committee, and the reason for not accepting the recommendations, to the provost with copies to the dean of the university faculty, the department or division chair, head, or director, and the principals of the grievance.

At the request of any party to the grievance and with the concurrence of the Grievance

Committee, a summary of the nature of the case, the issues, and the resolution will be given to the faculty and the academic staff members of the college. Otherwise, the case, the issues and the resolution will remain confidential on a need-to-know basis.

1.6 Review

Should one of the parties to a grievance that has proceeded through all the stages desire to proceed further with the grievance, a review of the decision may be requested in accordance with the procedures of the University as [Faculty Committee on Academic Freedom and Responsibility](#).

1.7 Effect of Grievance Proceedings

Any grievance proceeding contemplated herein is advisory to the dean and the president and trustees of the university. While a prior academic personnel action may be reviewed, modified, or affected as a consequence of the proceedings, the proceeding itself will not affect the change.

1.8 Grievance Expense

Any necessary expense of the hearing is borne by the university with the exception that if individuals wish to retain a representative or counsel, they bear that expense. If the individual is represented by another individual of the university, the representative is allowed reasonable time to perform this function without loss of pay.

Other Grievances

Details of grievance procedures for undergraduate students are covered in the [Policy Notebook Cornell University](#) and [OHR Non-academic Policy](#)

Details of grievance procedures for graduate students are covered at the [Graduate School Grievance Procedure web site](#)

Details of grievance procedures for non-academic personnel are covered at the [University Human Resource Services web site on resolving employee concerns](#).