

# HOMEWOOD GRIEVANCE PROCEDURE FOR FACULTY, POSTDOCTORAL FELLOWS, AND STUDENTS

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## 1. Introduction

This sets forth a procedure whereby a faculty member, postdoctoral fellow or graduate student of the Whiting School of Engineering (WSE) or the Krieger School of Arts and Sciences (KSAS) may grieve an adverse action or failure to act, or for a violation of University, School or departmental policy. Typically a complaint or dispute is brought to the attention of a department chair or center director and is resolved through informal discussion. In some circumstances, the Dean is asked to help in the informal resolution of grievances. The formal procedure set forth below is not meant to supplant attempts at resolving complaints through informal means. When at all possible, complaints and disputes should be settled through informal discussion. The procedures presented here are to be applied only after every effort has been made to settle disputes informally. Nothing in this document should be construed to impinge upon the responsibilities of any office and/or regularly constituted body of the University. Moreover, no action may be taken with respect to a grievance that would conflict with or modify any policy approved by the Board of Trustees of the University, any policy of the University or WSE/KSAS, any federal, state, or local law or regulation, or any contract to which the University or WSE/KSAS is a party.

## 2. Definitions

A ***grievance*** is a complaint by a faculty member, postdoctoral fellow, or student who alleges that he/she been adversely affected in his/her professional or educational activities as a result of an arbitrary or capricious act, or failure to act, or a violation of a University or WSE/KSAS procedure or regulation by his/her supervisor, department chair, center director, or other administrator or administrative body.

Issues excluded from consideration under this grievance procedure include:

1. Complaints alleging discrimination or harassment on the basis of race, color, gender, religion, age, sexual orientation, national or ethnic origin, disability, marital status, or veteran status. These complaints are to be referred to the University's Affirmative Action Officer.
2. Complaints pertaining to salary, promotions, fringe benefits, or other broad areas of financial management and staffing.
3. Disputes that are purely personal in nature or that do not involve the grievant's professional or educational activities.
4. A complaint pertaining to issues within the purview of any other standing committee or policy of the University or School, unless the complaint arises from a committee's alleged failure to act or to follow the policies or procedures of the University or WSE/KSAS.
5. Disputes involving grades or other evaluation of the grievant's academic work that are subject to the academic policies and procedures of the department or School.
6. Grievances that are subject to the procedures outlined in the Johns Hopkins Personnel Policy Manual (<http://www.jhu.edu/~hr1/pol-man/sectn8.htm>).

A ***grievant*** is a faculty member, postdoctoral fellow, or a graduate student currently enrolled in WSE/KSAS who brings a grievance pursuant to this procedure.

As used in this grievance procedure, the term ***faculty member*** means any person holding a full- or part-time faculty appointment in WSE or KSAS.

As used in this grievance procedure, the term "administrator" refers to anyone with the title of **Vice Dean, Associate Dean, Assistant Dean** or **Graduate Affairs Manager** of WSE or KSAS.

As used in this grievance procedure, the term ***Dean*** means the Dean of WSE and the Dean of KSAS or their designees.

### **3. Grievance Procedure**

**A.** In the event that informal discussion fails to resolve a dispute involving a faculty member, postdoctoral fellow, or student, a formal grievance may be initiated. Grievances must be initiated through the grievant's department chair or center director, whether the grievance involves members of the grievant's own or other departments. In the case of a grievance against the grievant's department chair, center director, WSE or KSAS administrator, or any WSE/KSAS committee, the grievant may submit a statement directly to the Dean. A grievance brought by a student or postdoctoral fellow may be initiated either through the appropriate department chair or center director, or may be brought through the associate dean for academic affairs.

Formal grievances will be handled as confidentially as possible. The grievant is cautioned that initiation of a formal grievance is a serious matter and must not be undertaken over

trivial matters or out of malice. If a formal grievance is found to have been maliciously motivated or based on fraudulent evidence, the Dean may take appropriate disciplinary action against those responsible. If the formal grievance, however incorrect or unsupported, is initiated in good faith, no retaliatory or disciplinary action will be taken against the grievant and appropriate measures will be taken to protect the grievant from retaliation.

**B.** A grievant must submit a written, signed, and dated statement of his/her grievance. This statement should include (1) a factual description of the complaint or dispute resulting in the grievance; (2) the name of the person(s) against whom the grievance is initiated; (3) a brief description of all informal attempts at resolution; and (4) any other information that the grievant believes to be relevant or helpful. The grievant should attach to the written complaint a copy of any relevant documentation in his/her possession.

**C.** Upon receipt of the grievance, the department chair, center director, associate dean for academic affairs, or Dean will review the matter and determine whether informal resolution of the grievance is possible. If the department chair, center director, or associate dean for academic affairs finds that informal resolution of the grievance is not possible, he/she will forward the grievance to the Dean along with his/her own statement that an informal resolution of the grievance has been unsuccessful. Upon receipt of the statement of grievance, the Dean will inform the grievant that the grievance is under consideration. The Dean will appoint an Ad Hoc Committee consisting of three or more members of the WSE or KSAS community or the University, when appropriate. The Ad Hoc Committee will decide whether the grievance is valid and whether a formal resolution is required. If the grievance is not valid, the Ad Hoc Committee will notify the grievant, stating the reasons for the Ad Hoc Committee's decision. Otherwise, the Ad Hoc Committee will notify the person(s) against whom the grievance is filed, and will provide a copy of the grievant's statement. The Ad Hoc Committee will assemble all relevant documentation and facts. A report of this information will be forwarded to the parties involved. On the basis of the assembled information, the Ad Hoc Committee will attempt to achieve a resolution of the grievance in a manner appropriate to the circumstances. Such a resolution will be subject to the approval of the Dean. In cases where the Ad Hoc Committee requests that the grievant consult another body within the University, the grievant may resubmit the grievance to the Dean for action should the other University body decline to consider the matter.

**D.** The Dean (or Provost) will issue a written determination of the grievance within two weeks of receipt of a recommendation from the Ad Hoc Committee. The decision of the Dean, or of the Provost in the case of a grievance against the Dean, will be the final University action in this matter. If the decision of the Dean or Provost is to grant remedial relief in favor of the grievant, he/she will execute a complete release of all claims against the University and WSE/KSAS, its officers, agents, and employees arising out of the matter giving rise to the grievance.

Adapted from "Grievance Procedure for Faculty, Fellows, and the Student Body"  
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