

From Faculty/Staff Handbook

FORMAL GRIEVANCE HEARING

1. The subcommittee or the full Assembly Grievance Committee, **WHICHEVER IS** chosen by the grievant, shall ascertain the time most convenient for a hearing and shall give all parties at least 15 calendar days written notice of the time, place and nature of the hearing. The time for notice may be shortened or extended by stipulation of all parties.
2. The hearing may be open to the public at the option of the grievant and to the extent allowed by law. The grievant must request an open hearing in writing to the chairperson of the Committee with a copy to the respondent. The request must be made at the time the grievance is submitted to the Assembly Grievance Committee. The Committee shall decide whether the hearing can be open.
3. The complainant and respondent must present to the committee a list of the names and addresses of witnesses who have been requested to appear at least five days prior to the hearing.
4. The committee itself shall determine which members shall preside over the hearing. A quorum of 3/4 of either **THE** subcommittee or **[DELETE] 2/3** of the full Assembly Grievance Committee must be present to conduct the hearing.
 - a. Either party to the proceedings may request a member of the committee be disqualified because of bias. This request must be submitted in writing to the chairperson of the Committee no less than 7 calendar days before the scheduled hearing. Disqualification requests will be ruled upon by the Committee.
 - b. Any member of the committee ~~may~~ **MAY** withdraw from the proceedings because of personal bias.
 - c. The President of the University will appoint the number of replacements required to make a quorum.
5. Each party shall receive a complete **AUDIO-TAPED** record of the hearing.

6. The complainant and the respondent may be represented by counsel at their own expense.

7. The committee shall not be bound to follow court procedures or rules of evidence. At the hearing, the committee shall receive the testimony of witnesses and other evidence concerning any disputed facts.

8. The complainant and the respondent have the rights to appear, to participate in the hearing and present relevant evidence to the committee. They shall have the right to confront and cross-examine all witnesses and shall be given reasonable opportunity to submit rebuttal testimony or other evidence.

9. At the conclusion of the testimony, the committee shall permit each side to make an oral summation. When the committee is satisfied that all pertinent and available evidence has been received, the hearing will be adjourned.

10. ALL DOCUMENTS SUBMITTED TO THE ASSEMBLY GRIEVANCE COMMITTEE AND THE AUDIOTAPES OF THE HEARING(S) WILL BE ARCHIVED IN THE PROVOST'S OFFICE.