

FACULTY SENATE GOVERNANCE COMMITTEE

***Resolution on the Proposed Changes to
Section VIII.D. and VIII.E. of the
Grievance Procedure for Faculty***

WHEREAS there have been concerns raised regarding the policies and procedures of the JRB and selection of members to form panels;

THEREFORE BE IT RESOLVED that the Faculty Senate recommends for approval the changes outlined in Proposal One for the Grievance Procedure for Faculty (aka, the Operating Paper of the JRB).

[OPTION A]

BE IT FURTHER RESOLVED that the Faculty Senate recommends for approval the changes outlined in Proposal Two under Section VIII.D.1. of the Grievance Procedure for Faculty.

BE IT FURTHER RESOLVED that the Faculty Senate reaffirms its support for the resolution approved on March 18, 2003, to approve changes to Grievance Procedure for Faculty as recommended in the Faculty Senate Governance Committee report, "Recommendations for JRB Procedures." The Senate recognizes that the changes recommended to VIII.D.1. are moot. [see <http://www.siu.edu/~facsenat/jrbrecs03.html>]

[OPTION B]

BE IT FURTHER RESOLVED that the Faculty Senate recommends for approval the changes outlined in Proposal Three under Section VIII.D.1. of the Grievance Procedure for Faculty.

BE IT FURTHER RESOLVED that the Faculty Senate reaffirms its support for the resolution approved on March 18, 2003, "Recommendations for JRB Procedures." [see <http://www.siu.edu/~facsenat/jrbrecs03.html>]

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Grievance Procedure for Faculty
Changes to Section I.D. and Section VIII.C., D., E.

PROPOSAL ONE

VIII. D. Procedures of the JRB Panels

1. ~~Upon receipt of a request which necessitates review by a JRB panel, a JRB panel shall be formed. A JRB panel shall consist of three members. Each party to the grievance shall name a member of the panel who shall be a tenured full professor of a university department (or equivalent, such as school or division) not associated with either party to the grievance and not a member of the JRB (if a party to the grievance is in an administrative post, this exclusion shall apply to the unit or equivalent in which he/she holds tenure), except that when a party to the grievance is a member of the administrative/professional staff, a civil service employee, or a student, that party shall have the right to name a panel member of like affiliation, but not from the same unit. The JRB shall name one member of the JRB to the panel who shall not represent a university unit associated with either party of the grievance, and who shall serve as a chair of the panel. Such chair shall instruct the panel in the procedures of JRB hearings and in the history of the particular grievance to that point.~~
A JRB panel shall be formed upon receipt of a request which necessitates review. A JRB panel shall consist of three JRB members named by the JRB chair, designating one as the panel chair. Panel members shall not represent a university unit associated with either party to the grievance. Each principal shall be entitled to one preemptory challenge in addition to challenges for cause. The validity of the challenge shall be determined by the JRB. Challenges for cause shall be strictly construed against the challenger and shall only be granted in cases of evidence of actual bias against the challenger or evidence of actual pre-disposition regarding the particular grievance. In the event of a second challenge for cause from the same party, the JRB shall meet with the parties to the grievance and identify a panel. In this case, the JRB can form the panel without agreement.

E. Procedure for Selection of the JRB

5. ~~JRB membership.... Members are eligible for appointment to no more than two consecutive terms; but JRB membership shall not disqualify an otherwise eligible full professor from service on a JRB panel the succeeding year.~~

PROPOSAL TWO

VIII. D. Procedures of the JRB Panels

1. ~~A JRB panel shall be formed.... Each principal shall be entitled to one preemptory challenge in addition to challenges for cause~~
to challenge panel members only for cause. The validity of the challenge....

PROPOSAL THREE

VIII. D. Procedures of the JRB Panels

1. Upon receipt of a request...to that point. Each principal shall be entitled to one peremptory challenge in addition to challenges for cause, except that the panel chair may only be challenged for cause. The validity of the challenge....