

December 1, 2023

Call meeting to order

- Plan to adjourn 5 min early

Attendees (green = present):

- Naomi Binnie - University Library
- Adam Burak– Engineering (Chair)
- Arlo Clark-Foos - CASL (Dearborn)
- Mimi Dalaly – Public Health
- Luca Giobbio – LSA-Political Science (undergraduate)
- Shanna Kattari - Social Work
- Jacob Lederman - Dept Behavioral Sciences (Flint)
- Rebekah Modrak (SACUA Liaison)
- Massy Mutumba - Nursing
- Wayne C. Petty - Music, Theatre & Dance
- Eric Vandenberghe - Faculty Senate Office
- Kristen Verhey – Medical School
- Oleg Zamulin- LSA
- Luke McCarthy- Faculty Senate Office
- Keelly Jones- Graduate Student (Law)

Agenda:

1. Approve previous meeting minutes
 - Shanna mention there may be some typos on the dates
 - i. Corrected date in November agenda
2. Grievance
3. Bylaws
4. Organize an in-person meeting (lunch provided) to foster committee cohesion (Topics)

Topics:

Bylaws

- Examples
 - <https://regents.umich.edu/files/meetings/01-01/bylawsrevisedJuly2023.pdf>
 - <https://en.wikipedia.org/wiki/By-law>
 - <https://www.kidlink.org/docs/RobertRules/chap20.html>
- Main pieces
 - What defines bylaws?

- Organization
 - Name
 - Mission
 - Members
 - Officers
 - President, Secretary, Treasurer, etc.
- How to make/change rules
 - Quorum
- Committees
- What are Robert's Rules?
 - These may not be a good example (patriarchal)
 - How do we make them better (more equitable)
 - Shanna will look into whether there may be better alternatives out there

Grievance

- Recommendations:
 - Encourage mediation
 - On both sides
 - Enforcement mechanism is needed.
 - Actions that must be taken if a grievance is successful
 - Should Grievant be allowed representation?
 - May be difficult for grievant to articulate their argument
 - It is important to facilitate their involvement by allowing them the opportunity to have someone help them
 - University should provide resources equally to grievant and griever
 - Should results be made public?
 - Should we recommend an appeal mechanism?

- If procedure was followed properly, there shouldn't be an appeal
- Appeal goes to sacua (appeal for the grievance to be heard)
 - It matters who is overseeing the appeal
 - Next level is provost (problematic? Not a neutral party? May be a conflict of interest?)
 - Can't file a grievance against the provost
 - Perhaps a neutral board? Can there be an internal neutral board internally? Should an outside group be used?
- Appeal of whether the grievance is heard vs appeal of the decision
 - Appeal of decision should be allowed in the case of a procedural error
- Any other recommendations?
 - Discuss and vote
- Office of Ethics, Integrity, and Compliance office (starting January)
 - compliance.umich.edu/
 - Review board for grievance?
 - Their role is still up in the air

Recommendations:

1. Enforcement mechanism
 - a. In the event of a successful grievance should the University pay for the lawyer if the Grievant retained one?
2. Resources should be equally provided to both sides
 - a. For example Grievant is not provided a lawyer, but the Dean is
 - i. The Grievant needs someone helping them in the case (not an OGC lawyer)
 - ii. The university offers a legal plan that faculty can access, can those lawyers to help them
3. Should there be an office of grievance support?
 - a. This gives the faculty a similar resource to OGC
 - i. Should be an expert in employment law
 - b. Someone who knows all the procedures and rules
 - i. Institutional memory
 - c. Confidentiality

d. Maybe partner with a relevant law firm

i. The business case being if it evolves into a lawsuit

e. What are the number of grievances- approximately 5 per year

i. This should be public information

ii. ECRT publishes an annual report (not on grievances)

f. Should there be a list of faculty that have been through a grievance

i. And whether they are willing to be contacted or not

g. AAUP is suggested as a group to consider

4. Should results be made public

a. May be sensitive

i. What if the parties don't want the results publicized?

ii. Maybe just the topic and the decision recorded