

## **BACKGROUND & INSTRUCTIONS**

**BACKGROUND:** In accordance with [Senate Bylaw 335](#), “Any member of the Academic Senate may grieve to the Divisional Privilege and Tenure Committee...that the member’s rights or privileges have been violated.” In order to consider such grievances, the UC Berkeley Divisional Senate grievance form asks for statements about the rights or privileges that have been violated and about the conditions surrounding the violation. Faculty rights and privileges are generally articulated in UC or UCB policy. Two of the most common sources are the [UC Academic Personnel Manual \(APM\)](#) and the [Berkeley Manual of Academic Personnel \(BMAP\)](#). Berkeley CAS login is required to view both documents. School, college, and department bylaws, regulations, and offer letters may also be sources of faculty rights and privileges.<sup>1</sup>

**GRIEVANCE:** A grievance is an allegation that one’s Senate rights and/or privileges have been violated. Only Academic Senate members may file grievances with the Academic Senate.

**INSTRUCTIONS:** A Senate member who decides to file a formal complaint with the Committee on Privilege and Tenure (P&T), should complete the following form outlining the main points at issue and should give specific and concise answers. At this stage of the process, no further documentation should be provided. In accordance with [Senate Bylaw 335.B.2](#), “Upon receipt of a written grievance, the Privilege and Tenure Committee shall first determine whether or not the grieving Senate member has made out a *prima facie* case. This determination shall be limited to a review of the written grievance only.” P&T makes its initial determination of a *prima facie* case based solely on the written form submitted by the grievant. In some cases, at the discretion of the Committee, the grievant may be asked to appear before the Committee to provide additional information beyond that contained in the form to assist in making a *prima facie* determination. By submitting the form, you provide P&T authority to investigate the incidents in question should a *prima facie* determination be made.

*Please make sure your responses are as complete as possible so to fully illustrate the nature of your grievance for the P&T Committee.*

**Before filing a grievance,** faculty should consult the systemwide [Senate Bylaw 335](#) for information on the grievance process and the [Academic Personnel Manual 015](#) (Faculty Code of Conduct) to review the overarching rights and privileges. Your grievance claim should draw directly from established UC policy or regulations in itemizing how your professional rights or privileges have been violated. Before filing your grievance with P&T, it is recommended that you review your grievance and the P&T process with a member of the [Panel of Counselors](#). The Panel of Counselors is comprised of knowledgeable Senate faculty who have previous experience in hearing and adjudicating grievance and disciplinary matters.

**SUBMISSION:** Please send the completed form and supporting documentation to: P&T Chair c/o Senate Analyst Sumali Tuchrello, [sumali@berkeley.edu](mailto:sumali@berkeley.edu), 510-664-7330 Questions about completing this form or about the P&T procedure may be addressed to the Senate Analyst.

Once you have submitted the form, the Senate Analyst will contact you to schedule a brief intake interview. This interview will be an opportunity to review the P&T procedure for grievances and review the form for completion and clarity. You may also contact the Senate Analyst in ahead of submitting the form to conduct the intake interview in advance.

The Senate Analyst can also refer you to a member of the Panel of Counselors at your request.

<sup>1</sup> The guidance provided in this document is intended to assist Senate faculty members in completing the grievance form to be filed with the Committee on Privilege and Tenure. It is not policy and does not establish any additional rights.

FORM

PLEASE COMPLETE THE FOLLOWING INFORMATION:

**Grievant Information:**

Name/ Title \_\_\_\_\_

Department \_\_\_\_\_ School \_\_\_\_\_

Campus Address and Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_

**If you have separated from the university**, please list your home address and telephone number:

Address, City, State, Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_ E-mail Address \_\_\_\_\_

I hereby submit a grievance to the Privilege and Tenure Committee. I have attempted to resolve this matter, but there has been no satisfactory resolution. I certify the grievance(s) stated here, and appended documentation, are true to the best of my knowledge and belief.

**Complete** the necessary information on the following page titled "Explanation of Request for Formal Grievance Review." **Sign below** and submit your formal grievance review request to the P&T Chair, as noted above.

SIGNATURE

Grievant

Date

**EXPLANATION of REQUEST for FORMAL GRIEVANCE REVIEW\*\***

*\*\*Fill out, OR attach a document addressing these questions.*

***Concise responses to each question is appreciated***

**1** **What is the nature of your grievance?** (E.g., tenure or promotion case; violation of professional rights and privileges as faculty)

**2** **What inappropriate procedures and/or policy violations are alleged?** Please complete the grid below. (Cite policy titles, code numbers, and provide links where possible.)

#	Right/Privilege	Source (e.g., policy & section)	Who committed the violation?	How was the right/privilege violated?
1				
2				
3				

3

**Specifically, what evidence supports this grievance?** (Provide an itemized list of what evidence you can provide to substantiate your claim. *Do not* include copies of the evidence with this grievance form. If this case proceeds, a request for evidence will be made at a later date.)

4

**List of witnesses** (Who, besides the immediate parties involved, can substantiate your claim.)

**5** **What consequences have you suffered?** (What is the result of your professional right/privilege being violated?)

**6** **How did you work to achieve informal resolution?** (List the dates and who was involved.)

7 **What non-disciplinary remedies are sought?** (What actions would need to happen to restore or “make whole” your violated privilege/right. P&T does not have the authority to initiate disciplinary actions.)

8 **Do you have any additional comments?** (You may attach a brief narrative of no more than two pages in length.)