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## **Annual Report to the University of Louisville Faculty Senate**

**October 7, 2020**

This report is submitted as required by the Faculty Senate Redbook, Section 4.4.1.A, and covers the period from October 1, 2019 through October 1, 2020 unless otherwise noted.

### **The Dispute Resolution Process**

The touchstone of the dispute resolution process is that all disputes should be resolved informally within the unit itself or through the University Ombuds office. A dispute is a difference of opinion between a faculty member and another faculty member or administrator that has led to a perceived material disadvantage by the faculty member. If a dispute cannot be resolved through the informal process, then it becomes a complaint when the faculty member contacts either the University Ombuds or the FGO. If the University Faculty Grievance Committee accepts the complaint, it becomes a grievance. Redbook, Section 4.4.5.

Under the Redbook, there are two types of disputes, each with distinct procedural prerequisites. Most cases are categorized as Type 1 disputes, which cover circumstances where there is alleged to have been a violation of a university rule or policy, misapplication of a rule, or differential application of a university rule, policy, procedure, or usual unit practice or custom. A full list of covered Type 1 Disputes is set out in Redbook, Section 4.4.4.A.1 (a)-(i). A list of circumstances that are not covered under the Type 1 Dispute category is described in Redbook, Section 4.4.4.A.2 (a)-(g).

Before a Type 1 grievance complaint can be filed with the FGO, informal consultation within the unit should be attempted; and, if this informal attempt at resolution is unsuccessful, then the Ombuds must be contacted and consulted. The faculty member must take action within 60 days of the decision (or action) being disputed or when the faculty member reasonably should have learned of the decision (or action). Redbook, Section 4.4.5.A.1. The faculty member must submit a written request for consultation with the Ombuds Office. If informal dispute resolution is unsuccessful, the Ombuds Office will confirm the consultation occurred with a written statement provided to the faculty member. If the faculty member chooses to file a grievance complaint, it must be

submitted to the FGO within thirty (30) calendar days of receipt of the Ombuds Office written statement. Redbook, Section 4.4.4.A.1.

Type 2 disputes, which cover a decision that results in the termination of an appointment, proceed directly to the grievance complaint stage and are initiated with the FGO. Redbook, Section 4.4.4.B. Instructions for potential grievants are available on the FGO website, as well as forms for Type 1 and 2 grievance submissions.

### **Grievance Statistics and Activity**

This report covers the period from October 1, 2019 through October 1, 2020 unless otherwise noted. A chart of activity during this period summarizing the grievance activity by unit is also included in this report.

During this reporting period, one (1) Type 1 grievance was filed. This grievance was from the law school. A hearing was held, and the grievant has until October 15, 2020 to appeal the decision of the Hearing Board.

There have been three (3) Type 2 grievances filed: two (2) formal grievances from Arts and Sciences (one was settled by mutual agreement of the parties and is now closed; the other is scheduled for a hearing). A grievance from the School of Medicine proceeded to hearing with findings submitted to Provost Boehm; the reports and findings were accepted by President Bendapudi and submitted to the Board of Trustees who affirmed the revocation of tenure and termination of the faculty member.

Unit	Consultations	Grievances File (Type 1 or Type 2)	Concluded or Pending	Resolved Informally (Ombuds)	Other Resolutions
Law	1	Type 1	Appeal Pending		
A&S		Type 2	Grievance Closed		Settled by mutual agreement of the parties
A&S	3	Type 2	Scheduled for Hearing		

Medicine	1	Type 2	Grievance Closed		Revocation of tenure and termination
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**Consultations, Grievances, and Resolutions: October 1, 2019-October 1, 2020**