

REPORT OF THE SPECIAL COMMITTEE ON SALARY GRIEVANCES

Although the Faculty Manual currently provides for faculty salary grievances to be considered by the Faculty Grievance Committee, the primary work of the Grievance Committee in recent years has been the consideration of grievances arising out of the tenure and promotion system of the University. Given the importance and size of its workload regarding tenure and promotion grievances and the unique nature of salary grievances, the Faculty Grievance Committee has requested that it be relieved of most responsibility for salary grievances. The Committee's request is justified. Removal of salary grievances from the jurisdiction of the Grievance Committee, however, creates both the need and the opportunity to establish a new and effective mechanism for the consideration of individual faculty salary grievances. Therefore, the Special Committee on Salary Grievances was formed at the direction of the Faculty Senate to provide recommendations to the Senate regarding the most appropriate means of handling faculty salary grievances. Members of the Committee are Rob Wilcox, William Thesing, Ward Briggs, Catherine Castner, and Timir Datta.

This Report sets forth the conclusions and recommendations of the Special Committee on Salary Grievance. We recommend that the Faculty Senate endorse the recommendations of this Report and refer the Report to the Faculty Advisory Committee for the purpose of having that Committee, in consultation with the Special Committee, draft appropriate amendments to the Faculty Manual and University Policies and Procedures implementing the recommendations. Any proposed Faculty Manual amendments would have to be brought before the General Faculty for approval and then forwarded to the President and, ultimately, the Board of Trustees for approval. Any changes in University Policies and Procedures must be approved by the President.

RECOMMENDED ACTION:

1. A new Salary Grievance Committee should be created to address individual faculty salary grievances and, when appropriate, to recommend an adjustment in salary to address a finding of a salary inequity. The Salary Grievance Committee could also recommend to the Welfare Committee that it consider a particular issue regarding broader university salary policy. Salary grievances would be removed from the jurisdiction of the current Faculty Grievance Committee.
2. The new salary grievance committee should be a faculty committee, the voting members of which are faculty members elected by the faculty in the same manner as the current grievance committee and other committees. The Committee should be of manageable size (5 or 7 members), and nominations for the Committee should be designed to ensure that members are selected from a range of academic disciplines.
3. A faculty member should be able to file a salary grievance with the Salary Grievance Committee based upon any of the following factors: (1) a perceived inequity in salary; (2) an alleged failure of the unit or university to apply proper criteria or follow applicable procedures in determining salary; or (3) salary discrimination in violation of law or

University policy. Prior to filing a salary grievance, a faculty member should obtain personal and contextual salary data from as many sources as possible. The salary grievance will be submitted in writing, setting forth the specific basis of the grievance and including any relevant factual information supporting the grievance. If the committee determines that the written grievance sets forth a sufficient basis for further inquiry, the committee should then request that the department or college respond to the grievance in writing, including any additional factual information relevant to the committee's consideration of the grievance. The grievant would then have an opportunity to reply in writing to the material provided by the department or college. The committee may seek any other relevant information necessary to its consideration of the grievance. We recommend that the committee consider the merits of the grievance on the basis of the written record submitted. The committee would then either dismiss the grievance or recommend to the president that appropriate corrective action be taken. Copies of any recommended action should be forwarded to the provost, dean, department chair, the chair of the Salary Equity Committee, and the grievant.

4. The Faculty Welfare Committee should remain primarily responsible for the consideration of university salary policies and for developing recommendations in that regard. From time to time as it deems appropriate, the new Salary Grievance Committee could refer to the Welfare Committee for its consideration any salary policy issues that the Salary Grievance Committee identifies through its work.
5. Each year the Faculty Welfare Committee and the Salary Grievance Committee shall ensure that any data prepared or compiled by the University regarding salaries and salary policy is made readily available to all faculty to the extent permitted by law and that the faculty is advised of its availability. Some salary data regarding individual faculty members may be available only to the concerned faculty member due to privacy interests. Public salary data must be readily available to any faculty member. The University Salary Equity Committee should report each year to the faculty as to how many faculty salaries are at least 1.5 standard deviations below their statistically anticipated level and how many are between 1.0 and 1.5 standard deviations below their anticipated level, as well as how many salary adjustments were recommended by the Committee. The Welfare and Salary Grievance Committees shall meet jointly at least once a year to discuss salary policy issues and to ensure that all sources of non-confidential salary data have been identified and made available to the faculty.

CURRENT COMMITTEE STRUCTURE:

For the information of the Senate, the Special Committee provides the following summary of the existing university and faculty committee structure as it relates to salary matters and policy.

University Salary Equity Committee

A university salary equity committee currently exists, composed of the Dean of the Graduate School, three other faculty, the Vice President for Human Resources, and General Counsel to the University. That committee annually reviews the salary structure of each department, looking for situations in which faculty member salaries appear statistically to be out of alignment. The committee uses a regression formula to predict salary based on rank and time in rank, without regard to subjective quality of performance. Where a faculty member's salary is 1.5 standard deviations or more below his or her statistically anticipated salary range, the committee requests the last three annual evaluations for that faculty member as well as a chair explanation for the variance. The committee may also, at its discretion, request similar information for a faculty member whose salary falls within the range of 1.0 to 1.5 standard deviations below the anticipated level. If there is no plausible explanation for the low salary, the committee may recommend that the department make a salary adjustment. There is no central fund to provide a department with money for the adjustment, and the committee cannot mandate a salary adjustment. If the committee's recommendation does not prompt a voluntary salary adjustment by a department, the committee relies upon the Office of the Provost, when necessary, to encourage deans and chairs to make necessary adjustments. A faculty member may obtain information as to his or her own statistical placement from the chair of the Committee (currently the dean of the Graduate School), but this committee does not receive or consider individual faculty grievances brought to it by a faculty member.

Faculty Grievance Committee

The Faculty Grievance Committee currently has jurisdiction to hear individual faculty grievances regarding salary. That Committee, however, has expressed its concern that it lacks the knowledge and resources to handle adequately individual salary grievances and has requested that its consideration of salary matters be limited to a review of whether proper procedures have been followed in making salary determinations. (Note that the recommendations above would remove all salary grievances issues from the jurisdiction of this committee and place them all within the proposed Salary Grievance Committee.)

Faculty Welfare Committee

The Faculty Welfare Committee currently has jurisdiction to consider university policies and the enforcement of policies, specifically including policies regarding faculty salaries. The Committee frequently considers university policies on matters of concern raised by individual faculty, but the committee does not serve to resolve individual grievances that arise between faculty and the university.