

Item	9.8
Approved by	UOIT Board of Governors
Date approved	February 2004*

COMPLAINTS PROCEDURES FOR ACADEMIC STAFF

PREAMBLE

This document outlines the appropriate structures and procedures to deal with complaints effectively, fairly, and in a timely and orderly way.

Under this procedure, a member of the academic staff may make a complaint about the interpretation, application, or alleged violation of an established or recognized policy, practice, or procedure of the University. Alleged violations relating to appointment, tenure, the academic substance of decisions and assessments, dismissal for cause of a tenured faculty member, or intimidation or harassment are covered by separate procedures.

The academic staff includes any faculty member who holds an academic appointment under the terms of the Academic Employment Policy at the University of Ontario Institute of Technology, or who held such an appointment at the time of the occurrence upon which the complaint is based provided such complaint is within the time limits set out in this procedure.

An earnest effort shall be made to settle complaints promptly. In some circumstances, the party or body with which the complaint is lodged may agree to extend the time limit for considering the matter. Complaints will not be allowed to proceed if the time limits are not met.

I. COMPLAINTS PROCEDURE

Step 1 - Informal Resolution

A member of the academic staff who has a complaint shall discuss it orally and informally at the first administrative level having the authority to dispose of it. This level normally will be the Dean of the Faculty.

A complaint must be presented within twenty working days after the grounds for the complaint were known, or ought reasonably to have been known, by the staff member.

Step 2 - Written Complaint

If the complaint is not resolved under Step 1, then, within ten working days of the break-down of the attempt to reach an informal resolution of the complaint, the academic staff member may present a written complaint to the Dean. The written complaint shall include a general statement of the relevant facts including the provisions of the policy that are alleged to have been breached and the remedy sought. At this stage of the procedure, pertinent documentation available at the time that might serve to substantiate or resolve the complaint should be exchanged. The Dean shall notify the complainant in writing of a decision, and of the reason for the decision (including the facts upon which the decision was made), within fifteen working days of receipt of the written complaint.

Step 3 - Provost

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If the complaint is not resolved under Step 2, then, within ten working days of receiving the decision of the Dean, the Academic Staff member may present the written complaint to the Provost. The Provost shall meet with the complainant (where such a meeting is deemed necessary) within ten days of receiving the written complaint to attempt to re-solve the complaint. The Provost shall notify the complainant in writing of a decision and the reason(s) for it within a further fifteen working days.

Step 4 - Complaints Review Board

If the complainant is not satisfied with the Provost's decision, the complainant may, within fifteen working days after a decision has been given under Step 3, request a review by the Complaints Review Board, with notice to the President of the University. This notice of intention to proceed to the Complaints Review

Board shall contain the details of the complaint, a statement of the issue(s) in dispute, a statement of the remedy sought by the complainant and the written decisions rendered under Steps 2 and 3.

The Complaints Review Board, composed of six members broadly representative of the Academic Staff, shall be nominated by the President of the University and approved by the Academic Council. The terms shall be for three years, with two members completing their terms each year. Vacancies on the Board shall be filled by the President, subject to the approval of the Academic Council.

The Complaints Board shall establish its own rules of procedure including, but not limited to, the assignment of a Chair and two other members of the Board to constitute a Complaints Review Panel to consider a particular complaint. In selecting the panel to review any particular complaint, care shall be taken to ensure that no member of the panel holds an appointment in the Faculty in which the complainant holds an appointment.

If the Complaints Review Board concludes that it is in the best interests of the complainant and the University to do so, the Board may, with the consent of the complainant, appoint an individual from outside the University to serve as Chair.

The Complaints Review Panel shall have access to all written material related to the complaint, and shall have the power to interview the parties to the dispute or anyone else who may assist in resolving the matter. The Complaints Review Panel should attempt to minimize friction and preserve collegial relationships and shall resort to an adversarial hearing only where no other route is satisfactory.

The decision of the Complaints Review Committee shall be final and binding on the complainant and on the University. The decision shall be unanimous or reached by the majority of the Panel, provided, however, that if there is no majority decision, then the decision of the Chair shall constitute the final and binding decision.

In all cases, the decision of the Panel, specifying the reasons for the decision (including the facts upon which the decision was based and any sanction or other penalty which has been imposed), shall be communicated to all concerned parties without disclosing whether the decision was unanimous, by majority, or by the Chair's decision, and shall show on its face only that it was a decision of the Panel. No minority or dissenting reports shall be issued, and the deliberations of the Panel shall be held in confidence.