



# FACULTY DISCIPLINARY AND GRIEVANCE POLICY

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## Abstract

This document outlines the policies and procedures governing disciplinary action that are taken when faculty standards of conduct are violated and grievance procedures when a faculty member believes that the University, acting through any authorized representative, has breached an obligation owed to them/him/her. It replaces the Faculty Disciplinary Policy that was previously in place and ensures coherence with the University's Appointment, Promotion and Tenure Policy and LUMS Governance and Structures. This document borrows from (1) Vanderbilt University, Disciplinary Actions, Standards of Conduct, Procedures, <https://www.vanderbilt.edu/faculty-manual/part-iv-disciplinary-actions-and-grievances/> and (2) Academic Personnel Manual (APM-15 and APM-16) University of California

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## 1 Definitions

1. In this Policy, unless the context or the subject matter otherwise requires:
  - a) “Board” means the Board of Trustees of the University;
  - b) “Convener” means a convener of any committee as decided by that committee’s appointing authority;
  - c) “Dean” means the Dean of a school at the University;
  - d) “Disciplinary Committee” means a committee of Faculty Members constituted by the Convener of the University Disciplinary Committee as per Clause 4.2;
  - e) “School Appointment, Promotion and Tenure Committee” or “SAPTC” means a committee constituted for the purposes of appointment, promotion and tenure of Faculty Members, comprising ex-officio members and elected or appointed representatives from the School concerned for fixed terms of office. The appointment or the electoral process of the said committee shall be initiated by the Dean concerned.
  - f) “Faculty Member” means a faculty member of a School at the University as appointed by the appointing authority exercising powers delegated by the Board.
  - g) “Managing Committee” means a managing committee of the Board as may be constituted from amongst its members as the Board may deem necessary;
  - h) “Policies and Procedures” or “Policies” or “Procedures” means the faculty disciplinary and grievance policies and procedures made by the University hereunder and altered from time to time by the University in accordance with this Policy;
  - i) “Policy” means this Faculty Disciplinary and Grievances Policy of LUMS.
  - j) “Provost” means the Provost of the University for the time being, and may include the Vice Provost of the University, as such, where the context so admits;
  - k) “Rector” means the Rector of the University for the time being;
  - l) “School” means school, college or institute at the University as the case may be;
  - m) “UC” means University Council;
  - n) “University” or “LUMS” means the Lahore University of Management Sciences, established as a body corporate under the Lahore University of Management Sciences Order, 1985 (Presidential Order No.25 of 1985);
  - o) “University Disciplinary Committee” or “UDC” means the University’s standing Disciplinary Committee.;
  - p) “Vice Chancellor” means the Vice Chancellor of the University for the time being;
  - q) “Disciplinary Penalties” means the administrative actions that the Dean can undertake when any Faculty Member fails to meet expected standards of conduct or contractual obligations; and

- r) A “grievance” means a complaint against any administrative decision which a Faculty Member claims is in violation of his or her rights under the LUMS Faculty Handbook, or a failure to apply established policies, or practices, or which results from a misinterpretation or misapplication thereof or otherwise has been treated unfairly or inequitably.

## 2 Standards of Conduct

- 2 Appropriate conduct by the Faculty Members is essential for maintaining collegiality and mutual trust. This Policy sets out the standards of conduct that Faculty Members are expected to abide by, provides clarity on conduct that is unacceptable, and outlines steps that must be taken when these standards are violated. At LUMS, it is the responsibility of a Dean to ensure compliance with the University's standards for faculty conduct. This Policy, along with specifying the conduct that does not meet the required standards, also sets out disciplinary actions and procedures which may be initiated if a Faculty Member does not meet these standards.
  
- 3 The types of faculty conduct which may attract disciplinary action are specified below:
  - a) Failure to meet the responsibilities of instruction, including:
    - i. arbitrary denial of access to instruction;
    - ii. significant intrusion of material unrelated to the course;
    - iii. significant failure to adhere, without legitimate reason, to the rules of the faculty in the conduct of courses, to meet class, to keep office hours, or to hold examinations as scheduled;
    - iv. evaluation of student work by criteria not directly reflective of course performance;
    - v. undue and unexcused delay in evaluating student work
  - b) Discrimination, or baseless incrimination of another member of the University community on political grounds, or for reasons of race, religion, sex, ethnic origin, national origin, ancestry, marital status or other arbitrary and personal reasons.
  - c) Violation of canons of intellectual honesty that may include the taking of decisions for reasons other than merit, research misconduct and/or intentional misappropriation of the writings, research and findings of others.

*Explanation:* The University defines misconduct by individuals involved in research or research training as: 1) falsification, fabrication, or theft of data or samples; 2) plagiarism; 3) unauthorized use of privileged information; 4) abuse of authorship; and 5) significant failure to comply with any University rules governing research (or with appropriate professional or international rules when research is conducted outside Pakistan).
  - d) Intentional disruption of functions or activities sponsored or authorized by the University.
  - e) Inciting others to violate University rules when such incitement constitutes a clear and present danger that violence or abuse against persons or property will occur or that the University's central functions will be significantly impaired.

- f) Unauthorized use of University resources or facilities on a significant scale for personal, commercial, political or religious purposes.
- g) Violation of University policies or agreements made with the University.
- h) Allowing personal interests, opinions or reasons to interfere with the interests and functioning of the University.
- i) Willful refusal to follow, whether alone or in combination with others, any reasonable instructions of the academic heads (such as Head of the Department, Dean, Provost, Rector or the Vice Chancellor) where such refusal results in significantly impairing the central functions of the University.
- j) Habitual absence without leave of absence for more than ten (10) days.
- k) Acts which are prohibited under a law in force in Pakistan.

*Explanation:* Disciplinary action in respect of these acts may be taken based on facts ascertained through the process set out in this Policy, without prejudice to any action under the law that may or may not have been initiated against the concerned Faculty Member.

- 4. “Harassment,” as defined by the LUMS Sexual Harassment Policy, would be dealt with in accordance with such Sexual Harassment Policy.
- 5. An act may be committed by a Faculty Member which is not covered under any of the heads specified in Clause 2 (paragraph 3) above, but which in the opinion of the Dean constitutes a violation of the standards of faculty conduct. In such event disciplinary action shall only be taken if the Disciplinary Committee unanimously agrees with the Dean’s opinion that the act complained of violates the standards of faculty conduct, and if the Disciplinary Committee so decides, then the sanction entailed (after giving the Faculty Member concerned an opportunity to explain his or her position) will either be a written warning or a letter of reprimand.

### **3 Types of Disciplinary Penalties**

6. A major or minor penalty may be imposed on a Faculty Member depending on the nature of the misconduct after giving the Faculty Member concerned the opportunity to explain his or her position.

#### **3.1 Major Penalties**

7. The major penalties include but are not limited to:
- a) Dismissal from the employment of the University;
  - b) Reduction in salary without change in rank or office;
  - c) Demotion to a lower rank with corresponding reduction in salary.

#### **3.2 Minor Penalties**

8. The minor penalties include but are not limited to:
- a) Oral or written warning;
  - b) Letter of reprimand in form of a formal written expression of institutional rebuke, distinguished from written warning, that contains a brief description of the censured conduct conveyed by the competent authority, delivered confidentially to the recipient;
  - c) Demand for a written apology;
  - d) Revised work assignment;
  - e) Denial of annual increment for a period not exceeding one (1) year; and
  - f) Deduction from salary for any loss/damage sustained by the University by reason of negligence or misconduct of the Faculty Member concerned.

## 4 Procedures for Disciplinary Action

9. The Faculty Member (respondent) accused of misconduct must be provided with due process to ensure that a fair hearing is afforded to the respondent and he or she is given the opportunity to explain his or her position. The Dean shall ensure that application of appropriate procedural protections apply in all cases of alleged faculty misconduct.
10. Any alleged misconduct must be brought in written form to the attention of the Dean, who in turn will notify the Provost of the existence of the allegations. Allegations of misconduct initiated by the Dean will follow the same course as allegations initiated by any other member of the University community. This Policy presumes that the positions of the Dean, Provost, Vice Provost, and the Vice Chancellor are held independently by different individuals. In case any such two positions are temporarily held by the same person, then the processes given in this section have to be modified. In such circumstances, the modified disciplinary and appeals process will be clarified by the Provost, if the need arises. If an initial inquiry finds the allegations of misconduct to be false and maliciously motivated, the person who brought the allegation may face disciplinary action. Allegations made in good faith, even if based on incorrect information, will not be the basis for disciplinary action against a complainant, and efforts will be made to assure that no retaliatory actions occur over the good faith reporting of any alleged misconduct.
11. Upon receiving a report in writing of misconduct against a Faculty Member, the Dean will review the case and within thirty (30) days and try to resolve the matter at his/her level. If personal efforts of the Dean fail to resolve the matter, the Dean shall proceed with an initial inquiry.

### 4.1 Initial Inquiry

12. The purpose of the initial inquiry will be to determine whether the allegations have merit and whether a formal investigation is warranted. This initial inquiry will also determine whether the complaint was made with malicious intent and recommend minor or major penalties. The initial inquiry will commence with the issue of a “Notice of Allegations” to the accused Faculty Member.

#### 4.1.1 Notice of Allegations

13. The individual against whom disciplinary action is being considered will be given written “Notice of the Allegations,” including references to the time, place, and people present when the alleged acts occurred. This notice shall reasonably inform the individual of the specific activity that is the basis of the allegations. The accused individual will be afforded confidential treatment to the maximum extent possible. Persons having or reasonably believed to have direct knowledge or information about the activity that is the basis of the allegations will be consulted and those consulted will maintain the confidence of the consultation. The person or persons bringing allegations of misconduct may request that their identity be withheld during this stage of the initial inquiry; however, their identity will be disclosed to the accused should the process proceed to the stage of formal investigation.



14. Regardless of whether the Dean decides to conduct an initial inquiry, the accused Faculty Member will be invited to make a response in writing to the Dean regarding the allegations of misconduct. At his or her option, the accused Faculty Member may also respond by appearing before the Dean in person.

#### **4.1.2 Procedure for Initial Inquiry**

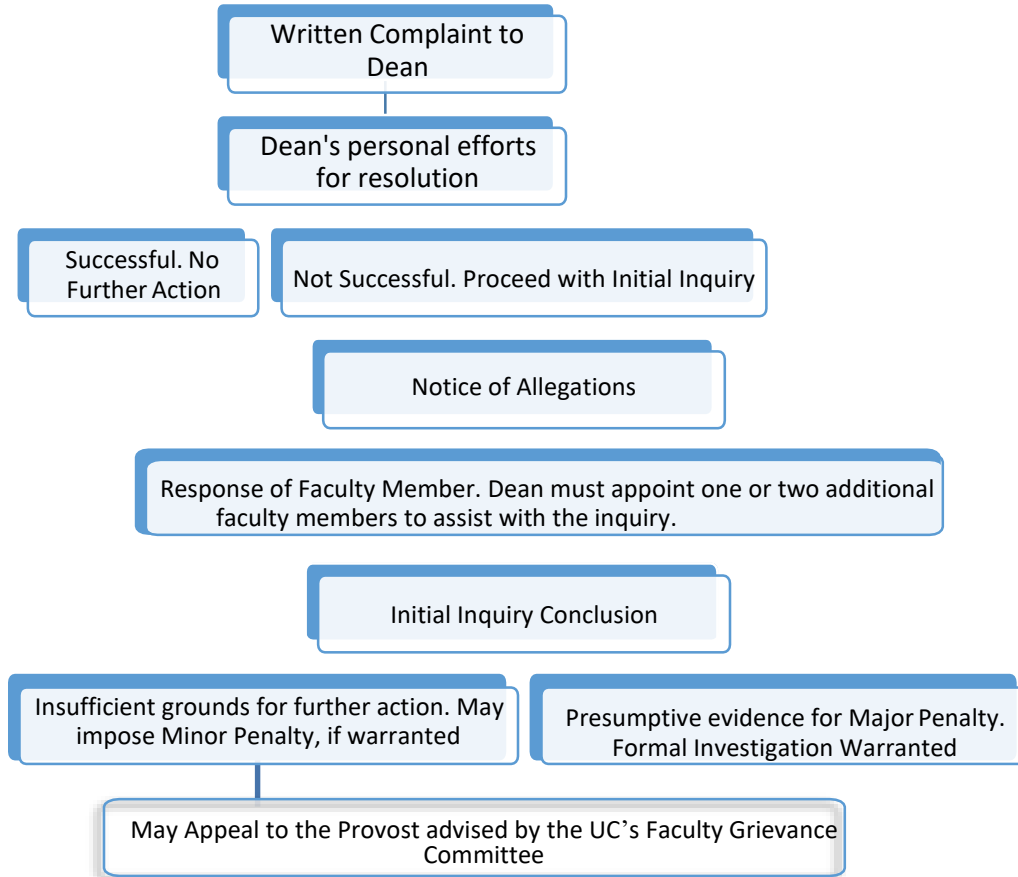
15. The initial inquiry will be completed as expeditiously as possible with a goal of completing it within thirty (30) days after its initiation. The Dean, at his or her discretion, must appoint one or more Faculty Members to assist them in conducting the initial inquiry.
16. The initial inquiry is a gathering and reviewing of facts to determine whether a full investigation is warranted or, alternatively, whether the facts do not sufficiently support the need for a full investigation.

#### **4.1.3 Conclusion of Initial Inquiry**

17. The Dean will notify the Provost of the outcome of this initial inquiry. Where the initial inquiry involves allegations of misconduct in research, the records of the inquiry will be kept for at least three years and may be provided to authorized funding agency personnel.
18. Based on the allegations, the conclusions of the initial inquiry, if any, and the response of the accused, the Dean shall make a decision falling into one of three categories:
  - a) That insufficient grounds have been presented to warrant further pursuit of the allegation and, therefore, the accused will be subject to either no disciplinary action or only minor penalty. The Dean will maintain sufficiently detailed documentation of inquiries to permit a later assessment, if necessary, of the reasons for determining that an investigation was not warranted;
  - b) The Dean determines that minor discipline is warranted for which the final disciplinary action will be taken by the Dean. The decision is subject to appeal to the Provost who is to refer the case to the UC's Faculty Grievance Committee for advice.
  - c) That there is presumptive evidence for major penalty and that a formal investigation through the Disciplinary Committee is warranted. The Dean will so notify the Faculty Member and will refer the matter to the convener of the University Disciplinary Committee within thirty (30) days for investigation.
  - d) In cases such as those identified in sub-clause (c) above in which there is the possibility that the offence constitutes harassment as well as discrimination as per Clause 2 (3)(b) above, the Dean will confer with a member of the Sexual Harassment Committee as well as the Convenor of the UDC to make a recommendation about which forum has jurisdiction to hear the complaint.

#### 4.1.4 Initial Procedure Flowchart

19. A flowchart of the procedure described above from receipt of initial written complaint to the conclusion of the inquiry committee is given below



## 4.2 Disciplinary Committee

20. If the Dean concludes that grounds for major penalty exist, the Dean will so notify the Faculty Member (respondent), providing

- a) List of allegations
- b) Summary of evidence received
- c) Summary of relevant interviews
- d) Conclusions of initial inquiry
- e) Report of initial inquiry, if prepared

21. The Dean will then refer the matter to the convener of the University Disciplinary Committee within thirty (30) days for investigation.

22. The convener of the University's standing Disciplinary Committee (UDC) will constitute a subcommittee the "Disciplinary Committee" consisting of Faculty Members (ensuring gender diversity such that at least one-third of its members are women, a fraction being counted as one) from the members of the UDC, in a manner so as to avoid conflict of interest in the case. Such conflicts of interest may include: (i) administrative dependency, (ii) close personal relationships, (iii) collaborative relationships, (iv) financial interest, or (v) scientific bias. The Disciplinary Committee members will confirm in writing that they have no conflicts of interest.

23. The Disciplinary Committee shall explore further the allegations in order to determine whether misconduct has actually occurred, and recommend penalties.

24. The Disciplinary Committee will be given the notice of the allegations as provided against the accused, and will be given charge to investigate the matter. In its investigation, the Disciplinary Committee will interview the witnesses and review documentary evidence, secure necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence, advise the accused of the evidence against him or her, and offer the accused a reasonable opportunity to respond and present evidence. As in the initial inquiry stage, persons having or reasonably believed to have direct knowledge or information about the activity that is the basis for the allegations will be consulted, and that those consulted will maintain the confidence of the consultations.

25. Complete summaries of the Disciplinary Committee interviews with witnesses and the accused shall be prepared, provided to the interviewed party for comments or revision, and included as a part of the investigation file. Detailed minutes of the investigation will be kept in the record.

26. Attorneys will not appear with or on behalf of the accused or any witness in proceedings before the Disciplinary Committee. The accused and other witnesses may rely on their own legal counsel in the preparation of any documents or the collection of any evidence to be presented to the Disciplinary Committee.

27. During the formal proceedings before the Disciplinary Committee, the accused shall have full access to all evidence that may form the basis of the disciplinary action within a reasonable time to respond to the evidence, including knowledge of the person or persons alleging misconduct. Only with such full access is the accused afforded an adequate opportunity to refute or explain the evidence against him/her. Evidence must be acquired by the Dean or Disciplinary Committee for use in the

formal investigation with no assurances of confidentiality of sources. If such an assurance of confidentiality must be given to facilitate investigation, the evidence obtained under that assurance will not be used as a basis of disciplinary action.

#### **4.2.1 Report of the Disciplinary Committee**

28. The Disciplinary Committee will reach findings of fact in regard to the Dean's charge. If the Disciplinary Committee finds facts that appear to constitute a breach of relevant University or scholarly standards of performance or conduct, the Disciplinary Committee shall make a report which shall state the nature of the breach and assess the seriousness of the breach. A written report containing the methods of procedure, how and from whom the information was obtained, including the views of those found to have been engaged in misconduct, conclusions, and recommendations of the Disciplinary Committee will be submitted to the Dean with a copy to the accused at the end of the investigation. All records of the investigation will be maintained under the control of the Dean.

29. After receiving the report with findings of fact from the Disciplinary Committee, the Dean will reach a decision and determine the disciplinary action and the appropriate sanctions to be taken against the accused.

30. The Dean will notify the accused Faculty Member of the decision.

31. In all sanctions other than dismissal the faculty member has the right to appeal to the Provost who refers the case to the University Council's Faculty Grievance Committee for advice. If dismissal proceedings are initiated, the faculty member will be accorded a formal hearing process as outlined in Section 4.2.3.

#### **4.2.2 Process Timeframe**

32. The process of a misconduct investigation will be conducted as expeditiously as possible within one hundred and twenty (120) days from the date when the misconduct was brought to the notice of the Dean. This period includes conducting the investigation, preparing the report of findings, making the report available for comment by the subjects of the investigation, and submitting the report back to the Dean for decision.

33. All of the foregoing procedures should be carried out promptly and in confidence so that the risk to the reputation of the person under investigation is minimized. Diligent efforts will be made to restore reputations of persons alleged to have engaged in misconduct when allegations are found not to be supported.

#### **4.2.3 Dismissal Proceedings**

34. If the Dean determines that the nature of misconduct warrants dismissal from employment, *i.e.* immediate removal of the Faculty Member from the rolls of the faculty of the University on disciplinary grounds, the matter shall be referred to the Provost to be dealt with as per formal hearing process convened for the express purpose of considering dismissal for cause as outlined in the Appointment, Promotion and Tenure Policy, Section 8.2.2.

### **4.3 Notice of Outcome**

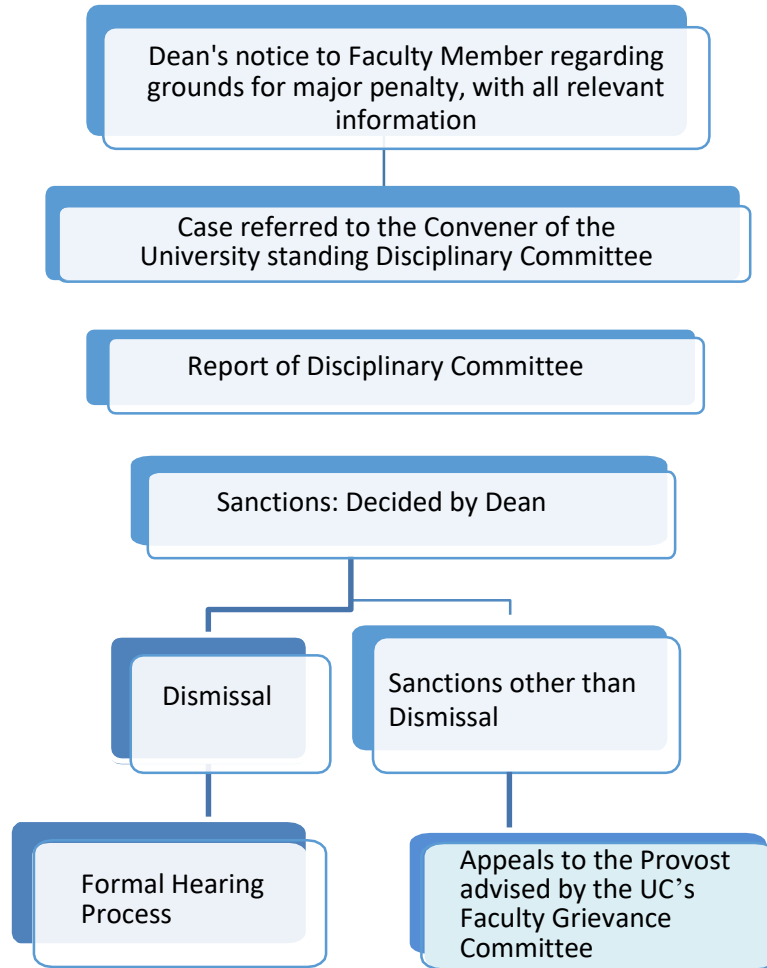
35. The Dean will notify the Provost providing a full report. After a final decision is reached, the University may, at its discretion, provide notice of the outcome to those persons who were informed about the investigation, may have been affected by the misconduct, or otherwise have a professional need for such information.

#### **4.4 Suspension of Faculty Member**

**36.** During the proceedings of the case, the Provost on the recommendation of the Dean may decide suspension of the concerned Faculty Member; suspension will be with full salary and monetary benefits to the Faculty Member. Suspension may include loss of normal faculty privileges such as access to University property, participation in departmental governance, voting rights, administration of grants, supervision of graduate students and use of University administration staff, and may include loss of other campus privileges such as parking, computing and library privileges. The degree and duration of the suspension shall be clearly specified. Authority for the suspension of a Faculty Member rests with the Provost and may not be re-delegated.

#### 4.5 Flowchart of Disciplinary Committee Procedure

37. A flowchart of the procedure described, following the decision of the Dean to establish a disciplinary committee to the conclusion on sanctions to be imposed, is given below:



## 5 Other Rules and Procedures Concerning Disciplinary Action

38. Accused and accusing Faculty Members will not be part of any Committee whose actions may have bearing on the case such as the Disciplinary Committee, SAPTC, etc.
39. Upon constitution of the Disciplinary Committee, the accused Faculty Member will be given written details of the complaint and not less than ten (10) working days to respond to the complaints in writing.
40. Resignation of a member of the Disciplinary Committee during the disciplinary proceedings shall not be considered effective.
41. The quorum for a meeting of the Disciplinary Committee will be three fourth (3/4<sup>th</sup>) of its members, a fraction being counted as one.
42. Decisions of the Disciplinary Committee will be expressed as views of majority of the members present and voting, except as otherwise provided under Clause 2 (Paragraph 5).
43. If the members are divided, the Convener of the Disciplinary Committee, will have and exercise a casting vote.
44. In case of dismissal of Faculty Member, the letter informing the Faculty Member of his/her dismissal will be issued by the appointing authority.
45. If the complaints involve Faculty Members from different Schools, the Deans of the respective Schools will jointly constitute the initial inquiry committee as required. In case of a recommendation for dismissal from the University that is endorsed by each of the concerned Deans, the matter will be referred for a formal hearing as per the procedure outlined in the Faculty Appointments, Promotion and Tenure Policy, Section 8.2.2.
46. In the case where the complaint is against the Dean, the process of registration of complaint will start at the level of the Provost who will follow the same process as described in this section, and play the same role as assigned to the Dean.
47. In case the complaint is against the Provost, the process of registration of complaint will start at the level of the Vice Chancellor, who will follow the same process as described in this section, and play the same role as assigned to the Dean.
48. In case the complaint is against the Vice Chancellor, the process of registration of complaint will start at the level of the Managing Committee, excluding the Rector, who will follow the same process as described in this section, and play the same role as assigned to the Dean.

## 6 Appeals

49. In every case of either a major or minor penalty as provided under Clause 3.1 and Clause 3.2, apart from dismissal, a Faculty member shall have the right of appeal within fifteen (15) days of the decision to the Provost who shall be the appellate authority and who will be advised in this role by the Appeals and Grievances Committee of the University Council. The appellate authority may, based on the recommendation of the Appeals and Grievances Committee of the University Council, either: (a) confirm the Order appealed against, or (b) remand the matter to the concerned Disciplinary Committee for reconsideration on grounds which shall be set out in the remand Order. The matter shall be remanded only if the appellate authority concludes that such grounds are material and have not been taken into account in the Order appealed against.

50. For disciplinary action/penalty against Dean, Provost, or Vice Provost, the appellate authority is the Vice Chancellor.

51. For disciplinary action/penalty against the Vice Chancellor, the appellate authority is the Rector.

52. The decision on the appeal must be taken within thirty (30) days of the appeal.

53. No Appeal shall lie against the decision by the appellate authority and shall not be entertained or forwarded.



## 7 Faculty Grievances

54. From time to time within the University community, disputes may arise between a Faculty Member and a Department Chair (or equivalent), Dean, Provost, or other administrator in which there are allegations of inequitable treatment, violation of academic freedom, or violation of University policy or procedures or University core values, in some action, which affects the Faculty Member. Administrators should work carefully to avoid such situations and, should they occur, make every effort to resolve them before they become formal grievances. Similarly, Faculty Members should understand that mediating a formal grievance will involve a major investment of their colleagues' time, and should use the procedure only to resolve important issues. When such a dispute arises, it is important that the parties work in good faith to resolve the situation informally, as quickly as possible. The aggrieved Faculty Member should attempt to meet with the person whose action is the focus of the dispute in order to discuss and resolve the situation. If resolution is not achieved, they should attempt to meet first with the Dean and, if the Dean is unable to resolve the dispute, then with the Provost to make them aware of the situation and discuss paths to resolution. If, after making these attempts at informal resolution, the Faculty Member is not satisfied, he or she may proceed formally within the regular grievance procedure.

### 7.1 Definitions and Eligibility

55. A “grievance” means a complaint against any administrative decision, which the Faculty Member claims is in violation of rights under the Faculty Handbook, or a failure to apply established policies, or practices, or which results from a misinterpretation or misapplication thereof or otherwise has been treated unfairly or inequitably.

56. This procedure is available to all full-time Faculty Members. This grievance procedure does not apply with respect to tenure or early tenure decisions, which can be appealed against according to the procedure defined in Appeals (129 Section 6.11 Faculty, Appointment, Promotion & Tenure Policy).

### 7.2 Regular Grievance Procedure

#### *Step One: Filing a Grievance*

57. A grievance must be filed within three months after the Faculty Member became aware of the cause of grievance. During this period, the grievant must attempt to resolve the matter informally.

58. A formal grievance is filed in writing with the University Council's Faculty Appeals and Grievance Committee. The Convener of the Committee will send copies to the Department Chair (or equivalent), Dean, Provost, and (if not one of these) the person whose action occasioned the grievance.

59. In the formal grievance, the grievant will state the exact nature of the grievance, against whom it is filed, and the remedy sought.

60. In the event that informal steps to resolve the situation are ongoing, the grievant may request, in writing, that the University Council's Faculty Appeals and Grievance Committee automatically grant postponement of Step Two for an additional two months. At any time that the grievant is dissatisfied with the progress of informal steps, they may, in writing, rescind this request and resume the normal grievance process.

## *Step Two: Mediation by an ad hoc Faculty Committee*

61. As soon as possible after the University Council's Faculty Appeals and Grievance Committee has received notice of a grievance, it shall appoint an ad hoc Mediation Committee composed of three Faculty Members from within the elected Faculty Members, with at least one member from the same faculty category (Assistant Professor, Associate Professor or Professor). If this is not possible, the Convener of the committee may co-opt Faculty Member(s) from the University with the permission of the Provost as appropriate. In appointing this ad Hoc Mediation Committee, the Convener will normally appoint Faculty Members not involved with the grievant or their department.
62. The ad hoc Mediation Committee shall be neutral and impartial as it attempts to mediate the dispute. During this phase of the procedure the ad hoc Mediation Committee may suggest ways to resolve the dispute, but shall make no formal findings with respect to the grievance other than to determine whether the grievance falls within the definition of a grievance, and/or whether it is insubstantial or frivolous. The ad hoc Mediation Committee shall conduct meetings and meet all parties concerned. However, the inability of one ad hoc Mediation Committee member to attend such meetings shall in no way change any prescribed time limits.
63. As soon as reasonably possible after the establishment of the ad hoc Mediation Committee, its chair shall arrange for one or more meetings with the relevant parties in an effort to resolve the grievance. At any meeting where the grievant is present, the grievant may be accompanied by a Faculty Member.
64. After an initial meeting with the grievant, the ad hoc Mediation Committee may at any point, by majority vote, determine whether the grievance meets a threshold for mediation: that it is neither insubstantial nor frivolous and falls within the definition of a grievance.
65. If the ad hoc Mediation Committee rules that the entire grievance does not meet this threshold, it shall so inform the grievant, the other relevant parties, the Provost and the University.
66. If the ad hoc Mediation Committee rules that only some of the issues raised in the grievance do not meet this threshold, it shall so inform the grievant, the other relevant parties, the Provost and the convener of the Appeals and Grievance Committee, also stipulating the issues which remain to be mediated. In this circumstance, mediation will proceed with respect to the remaining issues. Mediation will remain available for the issues deemed non-grievable.
67. As the mediation process continues, if the ad hoc Mediation Committee deems it advisable, it may require the attendance of the person whose action occasioned the grievance and any other persons who might be of aid in resolving the grievance, such as the Director of the Office of Accessibility and Inclusion.
68. If mediation is unsuccessful without the participation of the Dean, the ad hoc Mediation Committee shall require the attendance of the Dean for at least one meeting to attempt to reach a resolution.
69. If no resolution has been formalized within thirty working days of setting up the ad hoc Mediation Committee and the ad hoc Mediation Committee feels that no resolution is forthcoming, and if the grievant wishes to pursue the grievance, the Chair of the ad hoc Mediation Committee shall arrange a meeting with the Provost (or his or her designee), the grievant, and the ad hoc Mediation Committee for the purpose of resolving the grievance. If the ad hoc Mediation Committee considers it advisable, it may request the attendance of the party whose action occasioned the grievance and/or other involved individuals. The grievant may be accompanied by a member of the LUMS community.
70. If, after this meeting, no resolution has yet been reached, the ad hoc Mediation Committee

may submit to the parties a proposed resolution to the grievance.

### *Miscellaneous*

#### *Timeliness*

71. The time limit for filing a grievance as specified in section may be extended beyond three months with written agreement of the Provost, the grievant and the Convener of the University Council's Faculty Appeals and Grievance Committee.

72. It is important that grievances be processed as rapidly as possible. The number of days indicated at each step shall be considered a maximum, and every effort will be made to expedite the process. However, the time limits specified may be extended by mutual agreement if it is difficult to form an ad hoc Mediation Committee due to time of year.

73. Because it is difficult to form an ad hoc Mediation Committee during the summer months, the clock will normally be suspended during summer terms. However, the filing of a grievance must still occur within three months after the grievant became aware of the cause(s) of grievance.

74. A grievant shall have two weeks to respond after each step. If they fail to respond by the end of two weeks the grievance will be considered as waived. An involuntary delay such as illness or failure of the mails to deliver shall not be construed as waiving the grievance.

75. Unless the grievance has been resolved, withdrawn or otherwise terminated, the ad hoc Mediation Committee shall make no formal findings or report.

76. Copies of the decision of the ad hoc Mediation Committee shall be sent to the grievant, the Provost and the Convener of the University Council's Faculty Appeals and Grievance Committee.

77. The University shall make available to the grievant relevant materials pertaining to the case. However, documents developed in tenure and promotion proceedings with the understanding that they are confidential do not have to be made available to the grievant.

78. The Convener of the University Council's Faculty Appeals and Grievance Committee will, upon request, provide the grievant and/or the person whose action occasioned the grievance with the names of faculty members or others who may be of assistance in preparation and presentation of their case in the grievance procedure.

79. It is important that testimony and deliberations, which take place under this procedure, shall be kept confidential by the parties and by those involved in the resolution of the grievance.

80. If at any point the grievant determines to withdraw the grievance, he or she shall do so in writing to the convener of the University Council's Faculty Appeals and Grievance Committee.

81. If, during the course of a grievance, the grievant's University employment ceases for any reason, the grievance shall be discontinued, except that when the grievance involves non-renewal of contract the grievant may request, in writing to the Convener of the University Council's Faculty Appeals and Grievance Committee, that the grievance be continued.

82. At any of the foregoing stages, the subject matter of a grievance may in fact be converted into a formal complaint. If so, the grievant may still opt to have the grievance mediation process continue where the remedy they are seeking is not contemplated within the list of minor and major penalties associated with disciplinary offences.

## **8 Exemptions and Revisions**

**83.** The University, its officers, or any other person or entity associated with them shall have no liability whatsoever for any losses, damages, claims, legal costs, or other expenses that a person may suffer or incur, whether directly or indirectly (including any loss of profit or damage to reputation) by reason of any proceedings instituted or measures taken in good faith pursuant to this Policy.

**84.** This Policy may be revised by the University from time to time in its absolute discretion provided that any revision or amendment in this Policy shall not apply to any proceedings that have commenced or affect the validity of any decision or anything done prior to the revision.