

Guide for Faculty Mediation Committee (Updated August 2023)

- The faculty grievance process is established and governed by the university Faculty Grievances Policy I.B.1. (<https://www.purdue.edu/policies/academic-research-affairs/ib1.html>) and related Operating Procedures for Resolving Faculty Grievances (<https://www.purdue.edu/provost/policies/grievances-procedures.html>). Note the required timing of events.
- **The informal grievance resolution process:** The informal grievance resolution process, as described in I.B.1, is the first stage of the grievance process. In this stage, an impartial mediator works with the parties to a Grievance to reach a prompt, fair, and mutually satisfactory agreement. This process must be carried out by all participants within a framework of good faith collegiality and confidentiality (to the greatest extent possible under the law or university policy).
- **Initiating a grievance:** To begin the informal grievance resolution process, an initiator sends a written statement of their concerns to the Vice Provost for Faculty Affairs within 30 calendar days of an incident. This must describe the alleged impropriety, the university policy that is allegedly misinterpreted or violated, the name(s) of the person(s) [the respondent(s)] responsible for the alleged impropriety, and the remedy sought. The Vice Provost for Faculty Affairs reviews the statement and determines whether the Grievance is timely and whether the matters cited in the Grievance are covered by policy I.B.1. Within 10 days, the Vice Provost will notify the initiator in writing whether the Grievance will proceed further. In the event a Grievance will proceed further, the statement from the initiator is provided to the Associate Vice Provost for Faculty Affairs (AVPFA) and the chair of the faculty mediation committee.
- **Appointing a mediator:** As soon as possible after receiving a written statement from an initiator, the chair of the faculty mediation committee appoints one of its members to become the mediator.
 - The chair contacts members of the faculty mediation committee individually with details only containing the names of the initiator and respondent [the “parties”], to enable determination of potential conflicts of interest.
 - The appointed mediator must have no conflicts of interest with the parties and must be available to work with the parties of the Grievance to attempt to reach an informal resolution within 30 calendar days.
 - The chair of the faculty mediation committee notifies the AVPFA who the mediator will be.
 - The mediator and the chair of the mediation committee may consult with the AVPFA at any time for clarification on policy, procedures, and resources.
- **Providing documentation to the mediator:** Once a mediator is appointed, the AVPFA sends the written statement provided by the initiator to the mediator.
- **The AVPFA will contact the initiator and respondent to introduce the mediator and provide resources regarding the mediation process.**
- **The mediator contacts initiator and respondent(s):** The mediator will reach out to the initiator and respondent(s) and provide all parties with the ‘Guide for All Parties on Commencing Faculty Mediation’ document to provide guidelines and boundaries for the informal mediation process, as well as the ‘Agreement to Mediate’ document.
 - **Confidentiality of documentation:**
 - The information either party shares with the mediator will be held by the mediator as confidential to the greatest extent possible under the law or university policy. In any event, no information will be shared with the other party to the mediation without the expressed permission of the party who shared the information.

- When information is shared by the mediator with the parties to the mediation, it is with understanding that the information will be used only for purposes of the mediation. It is inappropriate to use the information learned in mediation for purposes other than informal resolution of the matter. Both the initiator and respondent should be aware that such action jeopardizes the process.
- **The mediator schedules meetings with initiator and respondent(s) and facilitates mediation:** After all parties have read the ‘Guide for All Parties...’ document, the mediator will then schedule a meeting first with the initiator to listen to the concerns, define the issues, and identify the resolution sought. The mediator will then meet with each respondent to again listen to the concerns, define the issues, and identify the resolution sought. At these initial meetings, the parties (and any advisors present) must sign the ‘Agreement to Mediate’ document.
 - This process may be repeated with individual communications and/or meetings until progress is made on agreeing on a satisfactory resolution by all parties.
 - A joint discussion may or may not be considered. See separate guide for general recommended stages of mediation when parties are brought together.
 - The mediator has no authority to impose a decision, and nothing will be resolved unless both parties agree to the resolution
 - If any respondent chooses not to participate in mediation and a resolution requires agreement from each respondent, the mediation process will conclude without resolution.
- **Ending mediation and the informal grievance resolution process:** The informal grievance resolution process concludes by: 1) a decision by the initiator to stop further action, 2) a resolution of the grievance by agreement of the parties, or 3) ending without resolution due to a party withdrawing from the mediation process or expiration of the time period allowed.
 - Mediation could produce a mutually-agreed resolution to the complaint. If that occurs, the grievance process ends. The mediator will put the main provisions of the agreement in writing and ask the initiator and respondent to sign the written summary of the agreement. The mediator provides this signed document to the initiator, the respondent, and the AVPFA.
 - Mediation could fail to produce a solution, in which case the initiator can either withdraw from the grievance process, or request to begin the formal grievance process. If the parties do not reach an agreement, the mediator documents the mediation process, attempts at resolution, and key reasons no agreement was reached on the ‘Informal Grievance Status Report Form’. The mediator provides this document to the initiator, the respondent, and the AVPFA.
- **Timeline:** The informal grievance resolution process must be completed within 30 calendar days, unless by mutual agreement an extension of up to 10 days is requested. This request would go to the AVPFA. At the end of the mediation process, the mediator provides written documentation on the ‘Informal Grievance Status Report Form’ to the initiator, the respondent, and the AVPFA. This documentation must be provided by the mediator within 10 days following the conclusion of the informal grievance resolution process.
- **Moving to the formal grievance process:** If the informal grievance process ended without resolution, an initiator may choose to initiate the formal grievance resolution process by filing a notice with the Vice Provost for Faculty Affairs. The notice must be provided no later than 10 calendar days after receiving notification of the outcome of the informal proceedings. The content of the notice is described in the Faculty Grievances policy (I.B.1) and related Operating Procedures for Resolving Faculty Grievances.