

Chapter 10: Resolution of Disputes

10.A General Principles

The University of Michigan is a large and complex community, and disputes will inevitably occur.

Whether faculty are involved in a dispute or have been asked to provide advice regarding a dispute, they should be aware of the services and programs that are available to assist them.

In most instances, every attempt should be made to resolve disputes informally, with the assistance of one or more of the support services provided by the University to facilitate timely resolution of disputes. Informal resolution implies that both sides of the dispute agree with the final resolution. In general, when a dispute is resolved informally, there are no permanent records or files kept on the matter. Formal resolution of disputes may involve committees of faculty or staff; permanent records are kept; and established procedures for gathering information, as well as for making decisions, may be followed. Members of the University community are expected to participate fully in the resolution of disputes if requested to do so by the parties involved.

The various possibilities offered by the University to help resolve disputes are discussed below. While these options are meant to apply to disputes involving a faculty member and other faculty or staff, the informal procedures are applicable to disputes involving students.

For additional information about dispute resolution in situations involving students, see handbook subsections:

- [8.D.2 "Academic Integrity and Academic Misconduct"](#)
- [8.D.6 "Dispute Resolution/Statement of Student Rights and Responsibilities"](#)
- [8.D.11 "Personal Relationships Between Faculty and Students"](#)
- [Chapter 11, "Sexual and Gender-Based Misconduct"](#)

10.B Informal Departmental Resolution

The department chair or unit head is usually the first line of dispute resolution if the matter cannot be handled by the parties themselves. Faculty are urged to contact their chair or unit head promptly for assistance. Where appropriate, the chair may request a meeting to discuss the matter with both sides in attendance in an attempt to arrive at an acceptable resolution of the conflict.

10.C Informal School or College Resolution

If the matter cannot be resolved at the departmental or unit level, or if the parties in the dispute are from different departments or units, it may be necessary to bring the matter to the attention of the dean or director. Resolution of the dispute may involve an informal discussion with the dean or director, or a face-to-face meeting with the disputants and the dean, director, or his or her representative in attendance.

10.D Ombuds

A faculty ombuds provides impartial information and informal, confidential assistance to faculty in the resolution of disputes. The role of the faculty ombuds is to facilitate the resolution of faculty problems and complaints with respect to policy administration or conflict resolution. The central faculty ombuds will maintain liaison with local ombuds in University units and at other universities.

For more information, visit the [Faculty Ombuds](#) website.

Most collegiate units on the Ann Arbor campus have a faculty ombuds who has either been appointed or elected to that position. The U-M Flint and U-M Dearborn campuses each have their own faculty ombuds. The University faculty ombuds position has also been created, whose primary function is to protect the interests and rights of faculty and unit administrators, from inconsistency, unresponsiveness, and discrimination. The position of ombuds exists to increase the probability that satisfactory and just resolutions can be reached informally. The ombuds does not replace or supersede other regular University grievance/appeal procedures but supplements and enhances them. The ombuds is not an advocate for individuals but rather encourages practices that are fair, just, and respectful. The ombuds considers the rights and interests of individuals, as well as the institution.

The Faculty Ombuds Program is coordinated by the Faculty Senate Office. For more information and the names of school, college, and campus ombuds, contact the representative in attendance at facultyombuds@umich.edu.

10.E Mediation Services

This service provides confidential consultation and dispute resolution assistance to parties who have a work-related concern or disagreement. On request from the parties to the dispute, Mediation Services will arrange for a professionally trained neutral facilitator/mediator to assist the parties in confidentially expressing needs, identifying issues, and exploring solutions. Parties may remain anonymous throughout the process if they wish, and no one will be notified of a party's concern without that individual's permission. The services are available to all U-M faculty and staff without charge. Appointments can be scheduled during or after work.

For further information and the names of individual consultants, view <www.umich.edu/~mediate>.

10.F Services for Faculty and Staff Counseling and Consultation

The Faculty and Staff Counseling and Consultation Office ([FASCCO](#)) offers a number of services to help current and retired faculty members and their immediate family members with personal difficulties encountered at both work and home. All services are free of charge and confidential. Services include:

- Short-term counseling services on personal, emotional, family and work place issues;
- Personalized coaching services to assist with achieving professional or personal goals, such as overcoming procrastination, improving work organization, and completion of specific projects;
- Critical incident, trauma, and grief counseling; and
- Brown bag educational presentations on a variety of emotional and mental health topics.

FASCCO's professional staff members are available to assist with such personal issues as interpersonal conflicts, marital/partner or family conflicts, and psychological symptoms – such as depression and anxiety – that may be affecting work performance or career advancement.

[Michigan Medicine Office of Counseling and Workplace Resilience](#) is a similar resource of all Michigan Medicine faculty and staff.

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10.G Formal Grievance Procedures

If informal procedures and consultation do not provide resolution of a dispute involving a faculty member, it may be necessary to resort to formal dispute resolution procedures (discussed briefly below).

For information about any form of discrimination or harassment, contact the [Equity, Civil Rights, and Title IX Office](#) (ECRT).

- To obtain a copy of the formal grievance procedure for your unit, contact the dean's office, the Faculty Senate Office, the Office of Academic Human Resources, or the Office of the Vice President and General Counsel.
- Any questions regarding the appropriate venue should be directed to the Academic Human Resources Office.
- For information about additional services on the UM-Flint and UM-Dearborn campuses, contact the Human Resources office on each campus.

Formal grievance procedures are available to all faculty with complaints concerning the terms and conditions of their employment. Each school and college has adopted a faculty grievance policy, based on a model Faculty Grievance Procedure. Academic Human Resources maintains a [list of school and college grievance procedures](#).

Formal grievance procedures are available when there is a charge that the school or a department has reached a manifestly unfair decision concerning an aspect of an eligible grievant's employment. Grievants may challenge all aspects of the decision-making process except those that involve conclusionary judgments about professional competence. The procedures are not available for challenges to the desirability of unit or University policy, nor are they available for claims that are patently frivolous or without merit. The procedures all have time limits within which one must bring a claim, so it is important to determine the time limit that applies in each case. Most procedures stipulate that a grievant has 90 calendar days from the date the grievant first knew or could reasonably have been expected to know of the decision or event that gave rise to the grievance to request the formation of a formal faculty review board. (This time period is 90 days for the UM-Dearborn campus and 120 days for the University library.) The procedures typically require a grievant to first try to resolve a dispute informally with the person who made the decision or who has the authority to provide redress before filing a formal grievance.

10.H SACUA Faculty Hearing Committee

A subcommittee of SACUA has been created to advise on faculty complaints or grievances that do not fall readily into established school and college grievance procedures. This subcommittee is known as the SACUA Faculty Hearing Committee and consists of one member of each SACUA class. After the initial formation, each year the SACUA chair appoints one member of the incoming class to the committee. Inquiries, complaints, and grievances addressed to SACUA from individual faculty members and groups of faculty members (e.g., school or college executive committees, programs slated for discontinuance) will be referred to the subcommittee for consideration. The subcommittee will then advise SACUA and counsel a course of action.

10.I Resources Outside the University

Faculty members who wish to have an external agency review their complaint about discriminatory conduct, including sexual harassment, may contact the Michigan Department of Civil Rights (MDCR) or the Equal Employment Opportunity Commission (EEOC). An additional resource outside the University is the American Association of University Professors (AAUP). Faculty members may contact their chapters for more information.