

HUMBOLDT STATE UNIVERSITY
ACADEMIC SENATE

Resolution on Appendix J WPAF Custody and Rebuttal Period

#01-07/08-FA – September 25, 2007

Resolved: That the Academic Senate of Humboldt State University recommends that the following sections of the *Faculty Personnel Policies and Procedures for Retention, Tenure and Promotion* (Appendix J of the Faculty Handbook, effective 2007-2008 and 2008-2009) be revised to reflect changes in the recently negotiated Collective Bargaining Agreement (CBA May 15, 2007 – June 30, 2010); and be it further

Resolved: That the Academic Senate of Humboldt State University recommends that all CBA Article citations in Appendix J (effective 2007-2008 and 2008-2009) be updated to reflect changes in the recently negotiated Collective Bargaining Agreement; and be it further

Resolved: That the Academic Senate of Humboldt State University recommends that because these are contract compliance revisions, this change to Appendix J will not go to a General Faculty vote; and be it further

Resolved: That the Academic Senate of Humboldt State University recommends that this resolution be distributed to all probationary and tenured faculty, administrators who are part of the retention, tenure, and promotion review process, and college and department staff.

WPAF CUSTODY
New Appendix J Language

Appendix J:V.E.3:

The WPAF shall remain, sealed, in the UFPC's custody for ~~twenty-one (21)~~ forty-two (42) days following the date of the President's notification. ~~Any action in processing a dispute formally shall be postponed for a period of up to thirty (30) days in order that the faculty member may pursue efforts to resolve the dispute informally.~~ 10.7, 10.8 (CBA 2002-2005) 10.4 (CBA 2007-2010)

Background

Previous Collective Bargaining Agreement
10.7, 10.8 (CBA 2002-2005)

10.7 A faculty unit employee who has a dispute pertaining to a faculty status matter as defined by provision 10.2f shall notify the President in writing of the dispute within twenty-one (21) days from the receipt of the negative decision.

10.8 The employer and the employee shall pursue efforts to resolve the dispute informally and the employee shall be entitled to a good faith review of the issue(s) presented. This effort at informal resolution shall be mandatory for all faculty status matters as defined in Article 10.2f and shall occur within thirty (30) days after serving notice of dispute. The employer and the employee may continue to pursue informal resolution of the dispute beyond the mandatory period.

**Current Collective Bargaining Agreement
10.4 (CBA 2007-2010)**

10.4 A grievant eligible to grieve pursuant to provision 10.2 of this Article may file a Level I grievance with the President no later than forty-two (42) days after the event giving rise to the grievance, or no later than forty-two (42) days after the grievant knew or reasonably should have known of the event giving rise to the grievance.

**Rebuttal Period
New Appendix J Language**

| VII.B.3.c)(2) Within ~~seven~~ ten days of receipt, candidates may submit a rebuttal statement and/or request a meeting to discuss the recommendation. 15.5

| VIII.A.3.e)(1) Within ~~seven~~ ten days of receipt, candidates may submit a rebuttal statement and/or request a meeting to discuss the recommendation. 15.5

Background

**Previous Collective Bargaining Agreement
CBA 2002-2005: 15.5 (emphasis added)**

At all levels of review, before recommendations are forwarded to a subsequent review level, faculty unit employees shall be given a copy of the recommendation and the written reasons therefore. The faculty unit employee may submit a rebuttal statement or response in writing and/or request a meeting be held to discuss the recommendation within **seven (7) days** following receipt of the recommendation. A copy of the response or rebuttal statement shall accompany the Working Personnel Action File and also be sent to all previous levels of review. This section shall not require that evaluation timelines be extended.

**Current Collective Bargaining Agreement
CBA 2007-2010: 15.5 (emphasis added)**

At all levels of review, before recommendations are forwarded to a subsequent review level, faculty unit employees shall be given a copy of the recommendation and the written reasons therefore. The faculty unit employee may submit a rebuttal statement or response in writing and/or request a meeting be held to discuss the recommendation within **ten (10) days** following receipt of the recommendation. A copy of the response or rebuttal statement shall accompany the Working Personnel Action File and also be sent to all previous levels of review. This section shall not require that evaluation timelines be extended.

Rationale: Campus procedures must comply with the content and language of the Collective Bargaining Agreement. These revisions comply with the May 15, 2007-June 30, 2010 Collective Bargaining Agreement.

Draft: C.Mullery, 9/13/2007

PASSED UNANIMOUSLY – SEPTEMBER 25, 2007