

TORONTO SCHOOL OF THEOLOGY GRIEVANCES

*Excerpted from the Graduate Conjoint Degree Handbook 2018-19,
and applicable to graduate degree and basic degree students.*

A13. GRIEVANCES

NOTE: Policies and procedures relating to Grievances are under review. Please contact the GCTS Office (gcts.office@utoronto.ca) for further information.

A13.1 Matters for grievance

Any member of the TST faculty, TST staff or TST student body may lodge an informal or formal complaint when that member has reason to believe that TST or anyone acting on behalf of TST has acted in a way that is inconsistent with any of the established policies of TST for faculty, staff or students and that has hindered the member's ability to perform his/her duties effectively. Grievances include, but are not limited to:

- i. non-academic grievances against TST faculty members;
- ii. grievances against TST staff members;
- iii. non-academic grievances against TST students that do not fall under any discipline codes;
- iv. dissatisfaction with non-academic TST administrative decisions or policies;
- v. grievances regarding TST facilities, offices, services;
- vi. a policy or procedure of TST contravened.

A13.2 Eligibility for grievance

A formal grievance complaint under §A13.1 may be lodged by any faculty member, staff member, student, or voluntary member of a committee or board of the TST, or by a person who has been so within the previous eight months.

A13.3 Informal complaint

Before a formal grievance procedure is initiated, every effort should be made to resolve the dispute through an informal discussion with the person immediately involved or that person's Supervisor. The complaint should be discussed within fifteen working days of the incident or circumstances giving rise to the complaint. The person to whom complaint is made shall make an appropriate response to the complainant, either orally or in writing, within one week of the discussions; and if the person to whom complaint is made is the Supervisor, then the Supervisor shall respond also to the person against whom the complaint is made.

A13.4 Responsible person for formal grievance

A formal grievance complaint is made in the first instance to the TST Executive Director. If the grievance complaint is against the TST Executive Director, it is made to the Chair of the TST Grievance Committee.

A13.5 Determination of jurisdiction

If the responsible official determines that the complaint is not within the jurisdiction of the TST, he or she declines to accept the complaint, and may suggest to the grievor an alternate means of redress.

A13.6 Grievance Committee

The TST Grievance Committee comprises four members, of whom one is designated the Chair. The TST Grievance Committee includes representatives from faculty, administration and staff. Members are appointed to three-year overlapping terms by the TST Executive Director, with at least one new member being appointed each academic year; the TST Executive Director shall inform the Board of Trustees of the appointment at the Board's first meeting in the Fall trimester. A quorum of three of the four members including the Chair is necessary to hear a case. Should one of the committee members or the Chair be either the grievor or the one being grieved against an alternate will be appointed. Decisions of the TST Grievance Committee shall be by simple majority. The Chair shall have a second vote in case of a tied decision.

A13.7 Formal grievance stage

The first stage in any formal grievance procedure is to complete a TST Grievance Form in which the complainant states the matters in dispute, the provision or interpretation of the policy that has been violated, the efforts which have been made to resolve and redress the grievance, and the remedy sought.

The form must be signed by the grievor and presented to the Chair of the TST Grievance Committee (or his/her alternate if the chair is the one being grieved against).

The person grieved against must within two working days receive notice of the grievance and a copy of the grievance form. The person grieved against has the right to be represented by an agent or advocate.

The parties should be allowed to attempt to resolve the grievance before the TST Grievance Committee meets. The Chair of the TST Grievance Committee may recommend a means of resolution.

In any event the TST Grievance Committee must convene a hearing within fourteen calendar days of the receipt by the Chair of the formal grievance. Copies of all documents and the grievance form are to be submitted to all members of the TST Grievance Committee and to all interested parties before the hearing. The hearing is conducted by the Chair of the TST Grievance Committee, unless the Chair is the person against whom the grievance has been lodged, in which case the meeting is chaired by an alternate. At the hearing the grievance form will be presented to the TST Grievance Committee after which any affidavits of the circumstances of the grievance will be considered, and any witnesses heard and cross-examined. Parties to the grievance may be accompanied by a colleague or advocate. Parties to the grievance and their advocates must be present throughout the proceedings. Witnesses appear only while giving evidence.

Within two weeks of hearing the formal grievance, the Committee shall make a report on the facts with recommendations as to any remedy, penalty or action to be taken. These recommendations will then be forwarded to the TST Executive Director for his/her decision. If the TST Executive Director is the one being grieved against, the recommendations shall be forwarded to the chair of the Board of Trustees. All agreements settled at the formal complaint stage shall be in writing and signed by the parties concerned.

If an employee chooses not to grieve a particular situation or withdraws a grievance at any stage, such action or lack of action shall not prejudice other grievances. No decision of the Grievance Committee shall set a precedent for settling future or pending grievances.

Confidentiality shall be maintained at all stages of the grievance process.

A13.8 Appeals

Should either party to the grievance wish to appeal the decision of the TST Executive Director, a written appeal must be presented to the Chair of the Grievance Committee, who will invite responses from the other parties, and submit the appeal, the replies, and other documentation to the Executive Committee of the Board of Trustees for their final adjudication of the matter. If a member of the Executive Committee is either the one who instituted the grievance or the one being grieved against, he or she is replaced by another member of the Board.

A13.9 Records of grievances

Records of formal grievances and their disposition will be kept in the office of the TST Executive Director and will be made available, subject to privacy provisions, for review by the Association of Theological Schools of the United States and Canada, and other appropriate persons.