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MEMORANDUM

TO: Laura Martin
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FROM: Le'Trice Curl, Director, Student Life and Judicial Affairs

RE: Student Grievances Report 2011

Date: March 9, 2011

Student grievances are reported to the Office of Student Judicial Affairs which is encompassed within the Office of Student Life at UC Merced. Since the date of the last report regarding student grievances in August of 2009, the Office of Student Judicial Affairs has not received any formal grievances reports. There have been several inquiries from students who wished to find out what their options were to address discontent with a faculty or staff member, or to voice frustration over what they deemed unfair termination from their student employment positions. After discussing options and reviewing the rights and responsibilities of both students and staff/faculty, and after independent contemplation, the students chose not to move their complaints forward in a formal grievance process. A brief summary of those cases are summarized below.

Case one: A student was terminated from employment. The student indicated that he had not come into work because he was sick, but he didn't call in sick before his shift began. As a result of calling in sick late in the day, he missed his shift and also a staff meeting. The office he was employed by had a three strikes policy in terms of behavioral issues and had made this policy clear to the student upon hiring. The student in question had already received two warnings for spending time on Facebook during work hours and also missing a shift on a different day. As a result of these three incidents, he was terminated from his position. The student felt as though he was being punished unfairly because other people used Facebook in the office, and he could not help it if he was sick.

I informed him about the rights and responsibilities he has as a student employee. I also informed him about the rights employers have to terminate or release student employees from employment.

Further conversation determined that the student had been given proper warning about expected behaviors in the work place, and protocols for calling in sick, etc. We talked through potential options such as filing a grievance, having the situation mediated, as well as examining dialog that could be used to address his former supervisor if he wanted to appeal to get his job back. He chose to think about his options and returned a few days later to discuss his decision. He chose not to file a formal grievance. While he felt frustration with the three strikes policy, he acknowledged that he

could have made some better choices while employed by the office. He indicated that he would prefer to seek new employment with another office instead of attempting to return to his former department. He sought new employment and is currently employed as a student worker in another unit.

Case Two: A student came in to file a report that she had written against a faculty member because she had been accused of cheating on a test. She felt like she had been accused unjustly. She showed me her exam and explained the circumstances connected to the allegations. Based on her explanation, we determined that based on the rationale the faculty member had provided that "technically" the faculty member was correct, however, her answers seemed to leave room for interpretation. The student indicated that at this point, she wasn't concerned with getting the points on the test back, but was concerned that the professor thought she had cheated on an answer that could easily have been interpreted differently. She was concerned about being viewed as a "cheater" going into future exams.

We reviewed options such as filing a grievance, reporting the incident to the Assistant Dean of the School in order to have the matter reviewed, having the student talk with the faculty member again to find out more about his rationale for the decision, and how to avoid future incidents or potential misinterpretations in her answers.

The student decided that she wanted to talk to the faculty member directly instead of filing a grievance, and that she had a better perspective on how to approach the situation. She felt that no formal action was warranted.

Case three: A student employee was having trouble with her supervisor. She felt as though she was being singled out for reprimand, and also that her ideas were not being listened to when they had meetings. She had also been given a critical performance review. She felt that the attitude she was receiving from her supervisor was unwarranted and that she was not being treated fairly. She also wanted to work for that department as a summer employee and was concerned that she would not be hired back.

We discussed the issues that were presented to her regarding her behavior (Facebook use at work, slow follow-through on projects, chattiness with other student employees, etc.) We again reviewed the rights and responsibilities of employees and employers. We also reviewed options such as a formal grievance, mediation, direct conversation with the supervisor to clarify expectations, asking to be reassigned to another supervisor within the department, etc.

The student chose to think about what she truly wanted from the relationship with her supervisor and which option would be best. The student came back and met with me and determined that she wanted to talk with her supervisor directly. We strategized an approach to the conversation and outlined points that she wanted to make (such as scheduling more time for their meetings so that they could have more developmental conversations, setting clearer deadlines for projects so that the student knew what the expectations were, talking about how the student felt being overlooked/not acknowledged in staff meetings, etc.)

The student had the conversation with her supervisor, and the conversation went well. The student and supervisor came to agreement on some clarified expectations for their interactions, staff

meetings, and work product and also scheduled more frequent meetings to address any future concerns. No formal grievance filed.

Again, these and other cases, students ask us to support them and help them resolve the matter without a formal complaint being filed. We do this. For students who come in seeking assistance, students are listened to, given options, and offered information and advising about possible outcomes. Students are also followed up with to determine how the situation was resolved if they choose to handle it themselves, and to find out if they are satisfied with the outcome of the situation. Students are also advised that they are welcome to come back to Student Judicial Affairs for information and advising should any further situations arise.

Thus far, the nature of the cases that have initially been brought to the attention of judicial affairs where a formal grievance was possible have all been handled informally, and to the satisfaction of the student bringing the complaint.