

The Collective Bargaining Agreement (CBA) between the University and the AAUP sets forth legally binding and enforceable commitments made by the University to the faculty and librarians represented by the AAUP. These commitments establish the parameters of what the University can and cannot do. If you believe an administrative action or inaction violates any commitment set forth in the AAUP contract, the Grievance Procedure in Article V of the AAUP contract gives you the right to challenge a University action or inaction and seek enforcement of these contractual commitments. Your right to file a grievance free from retaliation is protected by the New Jersey Labor Law, the AAUP contract, and University policies.

What is a Grievance?

A grievance is not a gripe or complaint. It is an alleged violation of the terms of the AAUP contract and must be based on a specific contractual provision. Such alleged violations may arise over many issues, including job security, salary increases, and discipline.

How Does the Grievance Process Work?

The grievance process consists of two to three stages:

Stage 1: Preliminary Informal Step: Stage 1 is optional, but is strongly recommended. Stage 1 seeks to resolve the alleged contract violation via an informal meeting with the Chair. The meeting should be held no later than seven (7) days after the occurrence of an event or the date on which you first gained knowledge of the event that forms the basis of the alleged contractual violation.

Stage 2: Formal Step 1:

If the grievance is not resolved with the Chair at Stage 1, Stage 2 is initiated by filing a formal grievance with the Dean within twenty-one (21) calendar days after the event or the date on which you first gained knowledge of the event that forms the basis of the alleged contractual violation. The Dean is required to meet and discuss the grievance, and render a decision within twenty-one (21) calendar days after receipt of the grievance. The grievance must be submitted on a Grievance Form (see Grievance Form on page 4). The form can also be accessed online at aaupumdnj.org/newsletters.htm. During Stage 2, you must draft your grievance as precisely as possible and base it on provision(s) of the contract. AAUP representatives are available to assist you in determining whether you have a legitimate grievance, formulating the grievance, and accompanying you to the meeting.

Stage 3: Formal Step 2:

If the grievance is not resolved with the Dean at Stage 2 and it is of sufficient importance and merit, the AAUP may submit the grievance to binding arbitration within thirty (30) calendar days of receipt of the Stage 2 decision from the Dean. Arbitration is a process by which a neutral person (an arbitrator) is selected to interpret the contract, determine whether the contract was violated, and issue an appropriate remedy (if the contract is determined to be violated). The Arbitrator's decision is final and binding on the AAUP and the University. The decision to proceed to arbitration rests with AAUP's Council, which consists of elected representatives.

For a more detailed description of the grievance procedure, please review [Article V](#) of the AAUP contract