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OFFICE OF THE PRESIDENT

UNIVERSITY OF WASHINGTON

OFFICE OF THE SECRETARY OF THE FACULTY
Marcia Killien

June 1, 2009

Mark A. Emmert, President
Office of the President
Box 351230

SUBJECT: Class A Legislation #120

Dear President Emmert:

In accordance with the rules, the faculty has approved the Faculty Code amendment in Class A Bulletin No. 120: Volume Two, Part II, Chapter 27, Section 27-41 (Conciliatory Proceedings).

The results of the election submitted to the faculty for vote on May 1, 2009, are:

Total ballots distributed electronically:	4,013
Total ballots returned:	397
Percent of faculty who voted:	9.89%
Percentage of "yes" votes:	94.21%
Percentage of "no" votes:	2.27%
Percentage of abstentions:	3.02%
Percentage of nil votes:	.50%

(The above percentage figures are based on ballots recorded electronically by the Catalyst Group.)

Attached is Professor David Lovell's certification that the faculty has voted to approve the changes as proposed in Class "A" Bulletin No. 120. Before the University handbook can be revised, we need your approval. According to the Faculty Code, you have fourteen days to respond. We look forward to hearing from you by June 15, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Marcia Killien".

Marcia Killien
Secretary of the Faculty

Enclosures

cc: David Lovell, Chair, Faculty Senate
Carol Niccolls, Executive Assistant to the President

Class A Legislation #120

Proposed amendments to the Faculty Code.

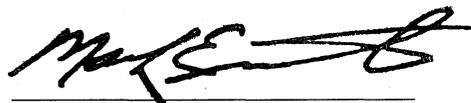
Volume Two, Part II, Chapter 27, Section 27-41
(Conciliatory Proceedings).

CERTIFIED AS APPROVED:

APPROVED:



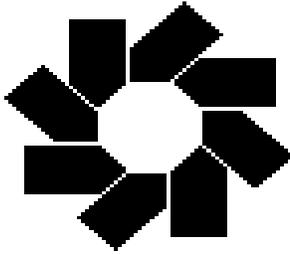
David Lovell, Chair
Faculty Senate



Mark A. Emmert
President

Date: June 1, 2009

Date: June 4, 2009



University of Washington
FACULTY SENATE
Box 351271

Class A Bulletin No. 120

April 30, 2009

GENERAL LEGISLATIVE ACTION

At its meeting on April 23, 2009, the Faculty Senate approved legislation that revises the number of Conciliation Officers and the procedure for their selection, as outline in the *Faculty Code*.

PLEASE VOTE BY May 21, 2009.

RATIONALE

Chapter 27, Administrative and Conciliatory Proceedings for the Resolution of Differences, provides for a Conciliation Board of six members. The Faculty Council on Faculty Affairs (FCFA) was asked to consider an increase in the number of conciliators to better meet the number of faculty requests for conciliation. Growth in the conciliation caseload is a positive development that should be encouraged, as conciliation offers the possibility of reaching a mutually satisfactory resolution and avoids adjudication.

Several factors have limited the current Board's capacity to provide conciliation services in a timely manner. The Ombudsman's general practice is to assign two conciliators to each case. The conciliation process routinely lasts more than one quarter. Typically, a conciliator is assigned to one, possibly two cases per year. Conciliators can only handle cases arising outside their own school or college. In this regard, Arts and Sciences cases present challenges in finding neutral conciliators, since the college and its faculty are so large.

The Conciliation Board agrees with the FCFA that staggered terms and a specific start date (September 16) should not be codified. This will give the Ombudsman flexibility to fill vacancies and add new Board members as necessary to carry on the current practice of staggered terms without being mandated to do so.

These changes have been approved by the Faculty Council on Faculty Affairs, the Senate Executive Committee, and the Faculty Senate. Since the proposed changes do not fundamentally alter the conciliation process, but only makes it more effectively administered, few concerns have been expressed.

Senate Proposed Changes

(Additions are underlined; deletions are struck through)

Changes to Volume Two, Part 2, Chapter 27

Section 27-41. Conciliatory Proceedings

- A. If the process of resolution by mutual consent under Section 27-31 does not take place or fails, the faculty member or the dean may request the assistance of a conciliation officer as a neutral third party by applying to the University Ombudsman for the assignment of a conciliation officer. Conciliatory proceedings aim at resolving problems by informal means without resorting to the more formal adjudicative proceedings provided in Chapter 28.
1. Conciliation officers shall be tenured members of the faculty, associate and full professors without tenure for reasons of funding, or emeritus faculty who are familiar with procedures and opportunities for the resolution of disputes or complaints involving faculty members.
 2. There shall be not ~~more~~ fewer than six conciliation officers who shall serve three-year ~~staggered~~ terms ~~commencing on September 16.~~

Senate Proposed Changes
(Additions are underlined; deletions are struck through)

3. Conciliation officers shall be selected by the President from a list of names ~~equal to twice~~ exceeding the number of ~~vacancies~~ positions to be filled, prepared and approved by the Senate Executive Committee. Vacancies for the remainder of unexpired terms shall be filled according to this same procedure. Conciliation officers may be reappointed to successive terms by mutual consent of the President and the Senate Executive Committee.
4. Any conciliation officer may be removed during his or her term of office by concurrent decision of the President and the Senate Executive Committee.
5. Conciliation officers shall be attached to the Office of the University Ombudsman but shall be limited in their activity to disagreements arising among faculty members or between individual faculty members and the University administration.

The Ombudsman, who may consult with the other members of the Conciliation Board (Section 27-42), shall determine which conciliation officer shall be assigned to a case, and shall inform the Secretary of the Faculty of appointments made. No conciliation officer shall be assigned to a case arising within his or her own school or college.

*Approved by Senate Executive Committee
February 23, 2009*

*Approved by Faculty Senate
March 12, 2009*

*Approved by Senate Executive Committee
April 6, 2009*

*Approved by Faculty Senate
April 23, 2009*