

# Organization and Key Duties of NSYSU Faculty Grievances Committee

Amended Oct. 4, 1996, 1<sup>st</sup> University Affairs Council Meeting, AY1996  
Amended Dec. 3, 1999, 1<sup>st</sup> University Affairs Council Meeting AY1999  
Amended Oct. 31, 2003, 1<sup>st</sup> University Affairs Council Meeting, AY2003  
Ratified Dec. 9, 2003, Ministry of Education Doc#0920183574  
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Amended Dec. 23, 2005, 2<sup>nd</sup> University Affairs Council Meeting AY 2005  
Amended June 3, 2011, 2<sup>nd</sup> University Affairs Council Meeting AY 2010  
Amended Dec. 23, 2016, 2<sup>nd</sup> University Affairs Council Meeting AY 2016  
Amended Dec 21, 2018, 2<sup>nd</sup> University Affairs Council Meeting AY 2018  
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Amended May 27, 2022, 4<sup>th</sup> University Affairs Council Meeting AY 2022  
Amended Oct 27, 2023, 2<sup>nd</sup> University Affairs Council Meeting AY 2023

## Chapter 1: General Guidelines

- Article 1: In order to protect the rights of faculty members and promote harmony on campus, the NSYSU Faculty Grievances Committee (Committee) was formed in accordance with relevant bylaws and ratified by the University Affairs Council.
- Article 2: Faculty members who feel that his/her rights have been compromised by unlawful or inappropriate measures by his/her overseeing department of the university may file a grievance.

## Chapter 2: Organization

- Article 3: The Grievance Committee should have 19 members, with at least one gender having 1/3 of the seats. Members are made up of the following representatives:
1. Faculty representatives (15): Two representatives from each of the colleges and general education center; one out of two seats is re-elected each year. Faculty representatives may not concurrently hold an administrative position or be a member of the Faculty Review Committee.
  2. Educator representative (1): Alumni association is asked to recommend a qualified educator to serve this seat.
  3. Legal expert representative (1): President of the university may

invite a legal expert to serve this seat.

4. Regional teacher organization representative (1): Kaohsiung City Teacher Union is asked to recommend a qualified teacher to serve

this seat.

Article 4: Of these above members, if one gender has less than 1/3 of the seats, re-nomination is necessary. Grievance Committee members receive no remuneration. The term is for 2 years. The term of ad-hoc members are limited to the duration of the case involved.

Article 5: Chairperson of the Grievance Committee is elected amongst members. Chairperson is expected to preside over all meetings. Term of the chairperson is for one year, and may be re-elected to another term. When the chairperson is unable to chair a meeting, he/she may designate another member to be acting chairperson.

Article 6: President of the university may not serve as Chairperson of the Grievance Committee.

Article 7: With the exception of the first meeting to be presided by the president of the university or another designated person, all remaining Grievance Committee meetings are to be presided by the chairperson.

Article 8: For the aforementioned meetings, more than 1/2 of the members must petition in writing, then the chairperson must convene the meeting within 20 days.

### Chapter 3: Jurisdiction

Article 9: When faculty member petitions a grievance, he/she may petition and re-petition:

If a faculty member is dissatisfied with how the university handles his/her measures, he/she may file a petition at the Grievance Committee; if he/she is still not satisfied with the decision of the Grievance Committee, he/she may re-petition, this time to the Grievance Committee of the Ministry of Education. A petition case that has not gone through the university's Grievance Committee may not go straight to the Ministry of Education.

Article 10: If the University is dissatisfied with the decision of the petition, the university may appeal to the Grievance Committee of the Ministry of Education.

## Chapter 4: Filing a Grievance

Article 11: A grievance should be petitioned within 30 days from the day after knowing of the measure. Re-petition should be within 30 days from the day after receiving the decision of the first petition. The office of the original measure should send the decision to the petitioner in a way that can be tracked. The date of delivery is the date of knowing.

Article 12: When filing for a grievance, it must include a signed petition which contains the following information, and the document for the original measure, and any relevant documents and evidences.

1. Petitioner's name, birth date, ID number, place of employment and job title, address, and phone number.
2. If there is a proxy or representative, then the name, birth date, ID number, address, and phone number of that person.
3. The office of the original measure.
4. The date that the original measure was received or known, facts and reason for the petition
5. The compensation that the petitioner is seeking.
6. The date of the petition.
7. The office that is handling the petition.
8. Clearly state whether the matter in this petition is involved in any lawsuit.

When filing for re-petition, the original petition and the original decision should be included.

Article 13: Any petitioner that does not have all of the above items must be notified within 20 days to submit all the missing documents. If missing documents are not provided within the time frame, the Grievance Committee may continue with proceedings.

## Chapter 5: Reviewing the Petition

Article 14: Within 10 days after receiving the grievance petition, the Grievance

Committee must attach a photocopy of the petition along with relevant documents, and ask the office of the original measure to provide a explanation. After receipt, the office should draft an explanation and send it back to the Grievance Committee within 20 days, with a copy sent to the petitioner. If the office agrees with the petition, then it can voluntary revoke or amend the original measure, and notify the Grievance Committee by writing.

If the office of original measure does not provide an explanation with the given timeframe, the Grievance Committee may continue with proceedings.

Article 15: After the grievance petition has been filed, and before the decision has been received by the petitioner, the petitioner may withdraw the petition. If the petitioner withdraws the petition, the Committee does not need to take action and should terminate the case immediately, and notify the petitioner and the office of original measure.

After the petition has been withdrawn, the petitioner may not file another grievance on the same matter.

Article 16: If the faculty member filing the grievance will be simultaneously or subsequently making a civil or criminal lawsuit based on the same matter, the petitioner should notify the Grievance Committee by writing.

When the Committee receives notice of the aforementioned situation, it should notify the petitioner by writing to suspend all review of the petition. When the reasons for suspension have been lifted, the Committee must be notified in writing to seek continuation with reviewing the petition. The Committee must inform the petitioner in writing if the final or partial decision had been made based on the outcome of other legal actions.

Article 17: When the Committee continues reviewing the petition, it should inform the petitioner in writing.

Article 18: Grievance Committee meetings are closed to the public. When the Committee is in discussion, it may decide to invite the petitioner, any parties of interest, experts and scholars to be in attendance and

provide clarification. The petitioner and the office of original measure may apply to be at the meeting. With consent from the Committee, they should be informed of the designated time and place of meeting. They are permitted to be accompanied by one other person. If the case becomes need be for onsite assessment, the Committee may designate 3 to 5 committee members to do so.

Article 19: If any Committee member has had conflict of interest with the petition or the petitioner, the Committee member should voluntarily remove him/herself from the case and abstain from meeting proceedings. If any evidence suggests that a committee member might be biased, the petitioner may move for the removal of that member and provide evidence thereof. During the entire proceedings of the petition, no committee member should have any contact in any way with the petitioner, his/her representatives, or anyone else who may be a person of interest in the case.

#### Chapter 6: Decision on the Petition

Article 20: Decision on a petition should be reached 3 months from the day after the petition was received. When necessary an extension may be granted and the petitioner must be notified by writing. There can only be one extension, and its term not exceeding 2 months.

Article 21: If a petition has any of the following conditions, it will not be accepted by the Grievance Committee:

1. Petition was applied beyond the time limit stipulated by Article 11.
2. Petitioner is not the rightful party involved.
3. Petition is under the jurisdiction of general courts.
4. When the petition has no real benefits.
5. Petition was made again on the grounds of a previously decided matter, or a previously withdrawn petition.
6. The petition does not meet the format or is incomplete.

Article 22: Before making a decision on a petition, the Grievance Committee must designate one member to review all the data.

When necessary the committee may designate two more members to jointly review the data. Committee members must read all the information carefully, analyze the facts, and apply suitable laws and codes, and make a recommendation to the Committee.

Article 23: The Grievance Committee must carefully assess all the claims made in the petition such as damages incurred and the expected compensation, as well as assess facts from both sides, how it will affect public welfare, and so forth.

Article 24: If the petition is without reason, the Committee may reject it.

Article 25: If the petition is with reason, the Committee must clearly state the reason for approving the petition and the compensation.

Article 26: When Grievance Committee meetings are held, all members must attend in person. Meeting can convene with 1/2 of all members are in attendance. Any decision on a petition requires more than 2/3 of the attending members are in agreement. All other matters need the approval of over 1/2 of the attending members.

In the decision process, if a committee member needs to remove him/herself due to conflict of interest, he/she is not counted as being in attendance.

Article 27: Decisions made by the Committee are ratified by inquiring about objections to be voiced, by show of hands or anonymous voting. The proceedings should be kept in confidence. The final decision should be recorded in the meeting minutes. The ballots should be sealed on the spot and be signed by the chairperson and advisory members.

Article 28: All petitions should be kept on record. If a member's view is different from that of the final decision, it should be included in the records.

Article 29: The decision report should clearly state the following information:

1. The petitioner's name, birth date, ID number, place of employment and job title, address, and phone number.
2. If there is a proxy or representative, then the name, birth

date, ID number, address, and phone number of that person.

3. The office of the original measure.
4. The main text.
5. Factual data and reason. Not necessary for rejected petitions.
6. Signature of the committee chairperson.
7. Date the decision was made.

The final report containing decision must clearly state that if the petitioner is dissatisfied with the outcome, he/she may repetition within 30 days of receiving the decision.

Article 30: The final decision report must be in the name of NSYSU Faculty Grievance Committee, and the original copy must be in the form of a certification letter (see attached format) and mailed to the petitioner and the office of original measure. If the petition involves a proxy or a representative, the final decision report should also be sent to them. If there are more than 2 proxies or representatives, the report needs only be sent to one of them.

Article 31: The final decision of the petition is ascertained by one of the following conditions:

1. The petition or the office of original measure does not file another petition within 30 days of receiving the final decision report.
2. The final decision report of the re-petition has been sent to the re-petitioner.

Article 32: Once the decision has been finalized, the university must supervise the relevant offices to carry out the decision. Relevant offices must submit a written progress report to the Grievance Committee on carrying out the decision of the petition.

### Chapter 7: Appendix

Article 33: Any petitions that were not yet reviewed or not yet been finalized before these regulations are announced, and were following some temporary regulations, shall now abide by these



regulations.

Article 34: Any petitions that were following temporary regulations shall now abide by these regulations and must be filed within 60 days. If failed to do so within the timeframe, then the petition will not be accepted.

Article 35: All documents in the petition shall be in Chinese. If any part of any document is in a foreign language, it should be translated to Chinese, and the original foreign language document should be attached.

Article 36: Unless otherwise regulated the meeting proceedings of the Grievance Committee follow the guidelines set forth by the Ministry of the Interior.

Other regulations shall be submitted to the University Affairs Council for ratification before being implemented.

Article 37: Any matter not covered by these regulations will be subjected to the Teacher Law, and the Ministry of Education's Grievance Committee Guidelines and Regulations.

Article 38: Grievances petitioned by researchers are handled the same way as faculty members as per these regulations.

Article 38-1: In the 8<sup>th</sup> Grievance Committee, faculty for those representatives from each college and the general education center, the term for one of them would be one year (until July 31, 2011).

Article 39: These regulations have been ratified by the University Affairs Council and the president of the university. Any amendments to these regulations shall be subjected to the same proceedings.