**CASE STUDY 1**

Professor Ray was appointed Chair of the Department of \_\_\_\_\_\_\_\_\_\_\_\_\_ in May 2011. Before accepting to serve as Chair he was informed that the Faculty was under pressure to find laboratory space for a new hire, joining the University with CRC Tier 1 appointment. At the same time the Faculty was experiencing severe budget constraints. One of Professor Ray’s priorities would be to finalize the reallocation of space and make a concrete recommendation to the Dean concerning the use of 3 floors of the building. He was informed of constraints concerning use of the building for research and, in particular, the type of research activities that could be located, or not, in some areas of the building, because of ventilation and utilities systems.

Once appointed, Professor Ray discovered that some of his colleagues did not appear to have very active research programs, and were supervising relatively few graduate students, while others were very high performers in that regard. However the files of most professors were not particularly well documented. His predecessor seemed to be managing through conversations and verbal commitments. Professor Ray reviewed his concerns with the professors in question as part of the merit exercise, and documented his conclusions in the files, without necessarily clarifying his expectations in writing to each of them. He decided not to press his concerns concerning full professors as he had just been appointed and wanted more time to consider these cases. One of them, Professor Smith, had received a low merit assessment in the last merit exercise, because of lack of research productivity, and did not challenge it.

The reallocation of research space was a difficult exercise. The Faculty had a document describing the factors to take into account in allocation of space, but it was incomplete and outdated. Professor Ray consulted the professors in his department extensively but in the end there were few viable options. Some labs would have to be reduced in order to meet the commitments made to the new hire. In May 2014, Professor Ray determined (in consultation with the Dean) that space would be allocated on the basis of unavoidable building constraints and research productivity over the preceding 5 years, measured through publications, grants received, number of graduate students supervised. As a result, Professor Smith’s lab would be moved to another floor and reduced by approximately 25%.

Professor Smith is a full professor who was once a leader in his field. However, his research program over the last 5 years has been less than stellar. Although he had applied for several grants, only two relatively minor ones had been accepted. At the time the decision concerning the lab space was made, he was supervising only one PhD student who did not appear to be progressing well. His recent publication record was below average, with few publications in peer reviewed journals. He has been working on a book for several years.

Professor Smith files a grievance against Professor Ray pursuant to section 11.3 of the *Regulations on the Employment of Academic Staff*, alleging that the decision was unfair, unjust and biased against him. The grievance is now in front of the Committee on Staff Grievances. Professor Smith asks the Committee to reverse the decision of the Chair and Dean regarding moving and reducing his research space; instead, his research space should remain as is for the remainder of his career at the University, in the same location.

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| □ What should Professor Ray do first? Whom should he consult?  □ What are the next steps?  □ How should the reply to the grievance be organized and what needs to be put to the Committee?  □ What documents should be put in evidence, what “witnesses” should be presented?  □ What points should be emphasised in Professor Ray’s response? |

**CASE STUDY 2**

The Committee on Staff Grievances upholds Professor Smith’s grievance. Even though the Committee seemed to agree that research performance may be taken into account in the allocation of space (the decision is ambiguous in this respect), it was not persuaded that Professor Smith’s performance was sufficiently low to justify a reduction in his research space.

After this grievance, tensions between Professors Ray and Smith have increased to the point where civil conversation is almost impossible. Much is now exchanged on e-mail. As part of the last merit exercise, Professor Ray has indicated (and confirmed in writing) that he expects Professor Smith to increase his participation in teaching. After much exchange on e-mail where Professor Ray was attempting to encourage Professor Smith to develop a proposal for a course to be taught in the Fall of 2015, and Professor Smith was indicating that he could not possibly do it, Professor Smith has ceased replying to his Chair’s e-mails and telephone messages. Professor Ray decided to bring the matter to the Dean’s attention, recommending that Professor Smith be disciplined for refusal to perform his academic duties.

□ What does Professor Ray need to provide for the Dean along with his recommendation?

□ What courses of action are open to the Dean?

□ What are the possible outcomes?