



Date: October 13, 2022

Memorandum to: Georgina Dopico, Interim Provost

From: Noelle Molé Liston
Chairperson, C-Faculty Senators Council
A/Y 2022-2023

Subject: C-Faculty Senators Council Resolution regarding the Right to Grieve

The C-Faculty Senators Council submits the attached resolution. This was approved by the Council at the October 13, 2022 meeting.

cc: Kristen Day, Vice Provost
Ellen Schall, Senior Presidential Fellow

David K Irving, T-FSC Chairperson

Thomas Blaylock, C-FSC Vice Chair
Sylvia Maier, C-FSC Secretary
Gay Abel-Bey, C-FSC Steering Committee Member
Beth Latimer, C-FSC Steering Committee Member
Robin Mitnick, C-FSC Steering Committee Member
Ethan Youngerman, C-FSC Steering Committee Member
Heidi White, C-FSC Faculty Grievance Committee Chair

Karyn Ridder, Manager of Faculty Governance

**Continuing Contract Faculty Senators Council's
RESOLUTION REGARDING THE RIGHT TO GRIEVE
Approved 26-0, 1 Abstention on October 13, 2022**

Whereas the right to file a grievance is a fundamental right of all NYU full-time faculty members, a right of inestimable importance, and

Whereas blocking the right to grieve leaves a full-time faculty member unable to enforce any other rights, and

Whereas the right to grieve was indeed guaranteed for all faculty members in every NYU Faculty Handbook from 1973 to 2014, and

Whereas, either by accident or design, in 2015, the NYU Faculty Handbook was changed so that the right to grieve was granted only to Tenure/Tenure Track faculty and Full-Time Continuing Contract Faculty members, and denied to faculty members classed as “Other Faculty” in [NYU Bylaw 88](#), and

Whereas the Council has received a copy of a message sent from the FAS administration to an NYU full-time faculty member denying that faculty member a right to grieve, on the alleged grounds that the faculty member was “Other Faculty,” and

Whereas the message sent from the FAS administration fails to indicate which of the three conditions, sufficient in themselves to guarantee membership in the full-time continuing contract faculty, the faculty member has failed to fulfill, and

Whereas a similar tactic might be used against any other member of the full-time continuing contract faculty—the tactic of denying a faculty member’s full-time continuing contract-faculty status without ever indicating what part of the definition of that status the faculty member has failed to fulfill, and

Whereas the Council views this practice as a dangerous precedent, deeply threatening to anyone who expects the university to fulfill its legal obligations to its employees, and a practice that could be easily copied in other cases, and

Whereas the practice could easily result in an arbitrary and capricious denial of rights,

NOW, THEREFORE, BE IT RESOLVED that the C-FSC strongly recommends the following:

1. The NYU Faculty Handbook should be revised to reinstate the right of all full-time faculty members to grieve, as was the case until 2015.
2. Pending the Handbook’s revision, the NYU administration should adhere to the traditional spirit of the Handbook, which was never to deny a right to grieve to any full-time faculty member, whether classed as “Other Faculty” or not.