



UNIVERSITY OF WISCONSIN
PLATTEVILLE
COLLEGE OF LIBERAL ARTS
AND EDUCATION

Memorandum

TO: UW Platteville 2014-2015 Grievance Commission

FROM: Dr. Elizabeth A. Throop
Dean, College of Liberal Arts and Education

DATE: December 1, 2014

RE: Dr. Sabina Burton's Grievance

Dr. Sabina Burton, Associate Professor of Criminal Justice, has filed a grievance against me. I wish to respond to this in writing, prior to any hearing.

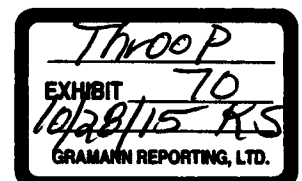
UWP 6.02 defines a grievance as "a personnel problem involving an employee's expressed feeling of unfair treatment or dissatisfaction with aspects of his/her working conditions within the University which are outside his/her control." It stands to follow, under this definition, that the subject of the grievance must be a matter that can be meaningfully remedied.

In this instance, Dr. Burton has filed a grievance over a letter of direction that I gave her ("Issue #1"). A letter of direction is not "a personnel problem," because, at this point, nothing adverse or unfair has happened to Dr. Burton. A letter of direction is similar to having a code of behavior—it does not create a personnel problem until there is a violation. Were Dr. Burton to violate the letter of direction in such a way that I would be forced to take disciplinary action she would be entitled to the full array of due process prior to any imposition of discipline. At this state, though, there is no remedy available to Dr. Burton so I question whether the letter of direction meets the requirement for a valid grievance.

As Dean of the College to which Dr. Burton is assigned, I have both the authority and responsibility to attempt to point out and help to correct employee behaviors that interfere with the normal course of work.¹ My letter of direction is aimed at Dr. Burton's disruptive and erratic patterns of behavior towards colleagues in her department. What I hoped to accomplish with this letter was to change Dr. Burton's behavior for the better so that the Criminal Justice Department can better function and carry out its mission.

Dr. Burton complains as well about the appointment of an outside search committee chair for the permanent department chair ("Issue #2"). She provides no evidence that I am "violating policy in an attempt to ensure that Dr. Dalecki becomes the next permanent chair of the CJ department" and I therefore reject this claim. Nor does this matter

¹ See <http://www.uwplatt.edu/employee-handbook/faculty-and-academic-staff-responsibilities>
160 Gardner | 608.342.1151 | Fax: 608.342.1409 | lae@uwplatt.edu
1 University Plaza | Platteville WI 53818-3099 | www.uwplatt.edu





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constitute a “personnel problem” as Dr. Burton is a member of the search committee and is not being excluded.

Dr. Burton alleges that there are tenured members of the CJ department, including herself, willing and able to fill the search chair position. I disagree with this statement. Dr. Fuller is able but not willing. Dr. Caywood opted to sit on the search committee for three tenure-track faculty members. I have exercised my authority to bring in an outside chair, applying my judgment that Dr. Burton would not make a reasonable and effective committee chair. In Dr. Burton’s case, the fact that she has engaged in the behaviors towards the acting chair that I described in my letter of direction render her unfit to serve as the search committee chair. I believe that the search committee (on which Dr. Burton sits at present) must be able to conduct its business fairly and objectively, and I have asked Dr. Burton to recuse herself from consideration of Dr. Dalecki’s candidacy because it is very apparent that she is unable to do that.

I was not involved in “Issue #3” and am perplexed as to why Dr. Burton is including this in a grievance against me. I did not choose the tenure-track search committee. Moreover, offers have been extended to candidates and I will not revoke those offers. There is no remedy available to Dr. Burton as a result.

I am also troubled by Dr. Burton’s demand that the hearing, if there is one, be conducted in open session. Any substantive discussion of the letter of direction will necessitate discussion of sensitive personnel matters involving other employees and, in particular, my concern with what I perceive as her bullying of junior faculty. The Open Meetings Law provides for closed session to discuss such matters and I believe a closed session would be the best course here.

Finally, Dr. Burton provides a number of emails and other documents as “evidence.” One additional item is purportedly a transcript and a tape of a department meeting. Because the transcript and the recording were created by Dr. Burton, there is no way to determine whether they are accurate depictions of what was said. I ask that the Grievance Commission disregard them.

In summary, Dr. Burton “grieves” three issues that do not amount to a personnel problem or unfair treatment. None of these matters created a problem that can be meaningfully remedied in this proceeding. I ask that the committee give consideration to recommending dismissal of the grievance without holding a hearing.