

## 香港理工大學教職員協會

### The Hong Kong Polytechnic University Staff Association

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### Submission to LegCo Panel on Education for its meeting on 18 March 2002

In this submission, we shall first outline staff appeals and grievance procedures currently in place in The Hong Kong Polytechnic University (**PolyU**). These procedures are contained in the Staff Handbook made available to all **PolyU** staff members through the *Staff Intranet*. This will be followed by our proposal to improve administrative performance of heads of departments in **PolyU**. The document ends with some remarks on the recent City University incident.

#### Staff Appeals and Grievance Procedure

Staff members of **PolyU** wishing to pursue grievances *not related to contract renewal* are required to lodge an appeal in writing to the head of department. This requirement applies regardless of whether the appeal is directed against the head of department. The head of department shall try to resolve the matter at the departmental level. If the dispute fails to be resolved by the head, the case will then go to the appropriate faculty Dean or Vice-President, who shall try to resolve the matter by taking any action he deems appropriate or necessary. If the Dean or the Vice-President cannot reach a decision on the matter that is acceptable to the appellant, the case shall go to the President who shall then refer the case to the *Appeals and Grievance Committee* for consideration.

The Appeals and Grievance Committee is composed of a Chairman elected by and from members of the Senate, one member selected from a group of staff members elected from appropriate faculty boards, one member selected from a group of staff members elected from non-academic units, one member nominated by the Chairman of the Polytechnic University Staff Association (**PUSA**) and one additional member co-opted from outside the University by the Chairman in consultation with other members of the Committee. Decisions of the Appeals and Grievance Committee are made by a majority of votes by secret ballot.

The Committee shall make recommendations on the case in a Report to be submitted to the President, who shall make a decision on the case having full regard to but without being bound by the recommendations contained in the Report of the Appeal and Grievance Committee. His decision shall not be the subject of an appeal or grievance under these Procedures.

Staff members experiencing grievances involving colleagues in their own departments are generally able to resolve their problems within their immediate departmental contexts. When they perceive their grievances as caused by actions taken by the head of department, however, they generally feel that they have to resort to mechanisms outside their departments. The requirement that staff members appealing against actions taken by the head of department should lodge their appeals to the same person understandably arouses staff suspicion and scepticism.

**PUSA** approves in principle of the professional spirit underlying the requirement, which is to enable staff grievances to be resolved speedily at departmental levels, and to develop in the longer term a culture of self-monitoring within the departmental context. Over the years, **PUSA** Officers have had to spend considerable time explaining this spirit to staff members who came to **PUSA** for assistance. In certain cases, in order to raise staff confidence in the Procedures, **PUSA** also provided someone to act as a friend to support the appellant during negotiation meetings with the head of department.

Nevertheless, **PUSA** is of the view that it is desirable for **PolyU** to take appropriate actions to raise staff members' confidence in the Staff Appeals and Grievance Procedures.

### **Staff Appeals on Grievances Related to Contract Renewal**

Staff members of **PolyU** wishing to lodge an appeal against the decision in relation to his re-engagement should write to the President. The President may handle the appeal in any way he deems appropriate. He may refer the appeal to a senior management member or he may form a special panel to handle it, in which case the senior management member or the special panel will review all relevant documents and interview the head of department, the senior staff (a dean or a Vice-President) overseeing the department, and the appellant.

Staff members have expressed grave concern about what they perceive as a lack of transparency in this Procedure. **PUSA** is of the opinion that **PolyU** should take appropriate actions to make the Appeal Procedure for the Re-engagement Process more open and transparent. One possible action is to ask the Appeals and Grievance Committee to consider certain appeals against decision in relation to contract renewal.

### **Improving the Administrative Performance of the Head of Department**

**PUSA** understands that staff of **PolyU** are seriously concerned about the quality of the performance of the heads of some departments in the discharge of their administrative duties, and would very much welcome additional monitoring and supervising mechanisms. **PUSA** is of the view that **PolyU** should seriously consider:

- (a) introducing mechanisms for staff members, in particular those who are not members of the departmental management team, to appraise the head of department, possibly in the form of a regular performance review by staff;
- (b) experimenting with a rotating appointment system for departmental headships.

### **Recent contract disputes at City University**

**PUSA** notes with deep regret recent disputes in relation to contract renewal at the School of Law of the City University. It is of the view that had proper appeals procedure been in place, such disputes would have been resolved at an early stage.

13 March 2002