

GRIEVANCE

POLICY NUMBER: RESERVED FOR FUTURE USE

POLICY TYPE: ADMINISTRATIVE

RESPONSIBLE OFFICIAL TITLE: DIRECTOR OF HUMAN RESOURCES

RESPONSIBLE OFFICE: OFFICE OF HUMAN RESOURCES

I. POLICY STATEMENT

This policy provides an expeditious and fair manner of resolving grievances of non-faculty employees of the university. Access to this policy by temporary and probationary employees is limited to the area of illegal discrimination claims.

A grievance is defined as any dissatisfaction which occurs when an employee thinks or feels that any condition of employment is unjust or inequitable. This includes but is not limited to suspensions, demotions, dismissals, denials of promotion, inaccessibility to promotion or claims of illegal discrimination.

Issues that are not grievable include:

- Matters of performance evaluation and rating;
- Classification and compensation, including salary, benefits and access to special pay provisions such as differential and supplemental compensation;
- End-of-probation termination.

As the first step in the grievance process, the Director of Human Resources determines grievability. A negative determination requires review of the Grievance Review Committee with subsequent recommendation to the Director of Human Resources.

Within a period of ten (10) working days after notification of committee appointment, unless extended for cause by the committee chairperson, the committee shall fulfill its charge. If the committee response time is extended for cause, the grievant will be given notice of the cause in writing. The decision of the Director of Human Resources shall be final. All grievants must follow the outlined procedures contained herein.

Retaliation Protection:

No University employee or agent may harass or retaliate against any other University employee who has filed a grievance or participated in any way in the grievance process.

Confidential Information:

The confidentiality of any information related to grievances or grievance proceedings which would identify, directly or indirectly, any parties to the grievance (the person filing the grievance and any persons named in the grievance allegation) will be protected and such information will be excluded from an employee's permanent personnel record. The grievant agrees to furnish all information relevant to the grievance.

Grievant Access to Information:

The grievant has the right to obtain information relevant to the complaint which the University may possess. Human Resources, however, may remove from records provided to the grievant all names and identifying information which are not relevant to the grievance.

In cases of alleged illegal discrimination the employee also has the right to seek the

advice of the Director of Human Resources and/or the Affirmative Action Manager at any time during the grievance proceedings.

Grievance File:

The Director of Human Resources will maintain a grievance file containing all information relevant to grievance which is available for review by all parties to the grievance throughout the grievance process. No grievance information will be maintained in the employee's personnel file.

Time Extension:

Upon written request received by the Director of Human Resources, the same may grant an extension in time not to exceed thirty (30) calendar days for filing or responding to a grievance.

Grievance Review Committee:

As described in these procedures, a Grievance Review Committee shall be established to investigate unresolved complaints. The committee will be comprised of three (3) impartial members who are selected from a pool of appointed employees. Ten (10) employees from major divisions of Academic Affairs, Student Affairs and Administrative Affairs and five (5) employees of Institutional Support will be named to the pool, with care taken to ensure adequate representation of women, minorities and employment categories. This grievance committee pool will serve for one year with training provided as needed, pertaining to the duties of the committee.

II. ENTITIES AFFECTED

Faculty and Staff

VII. PROCEDURES

Grievance Procedure - Step One

Informal Discussion:

The employee has the option and is encouraged to discuss the grievance informally with supervisory personnel and/or the Director of Human Resources to seek resolution which is acceptable to the grievant and to the University.

Formal Grievance Procedure:

If informal discussions with supervisory personnel and/or the Director of Human Resources have been unsuccessful in resolving the grievance, the employee will receive a copy of the grievance procedures from the Director of Human Resources. The employee has up to thirty (30) days after the occurrence, or knowledge of the occurrence, of the alleged aggrieving act to file a complaint. The only exception to this is that in the case of an alleged discrimination complaint, the employee has up to 180 days to file a grievance. Only in the instance of involuntary termination of alleged illegal discrimination does the grievance survive employee termination.

Grievance Procedure - Step Two

Submitting Grievance to Supervisor:

The employee will submit his written complaint, labeled "Employee Grievance" to his immediate supervisor and will forward a copy to the Director of Human Resources for

the grievance file. In accordance with G 3.2, any determination of grievability will occur in the initial phase.

□ Time of Response:

The complaint will be handled by the supervisor promptly, allowing no more than four (4) working days to elapse from the supervisor's receipt of the grievance to presentation of a response to the aggrieved employee. Presentation to the employee will be made by first class mail or by hand delivery to the employee.

□ Supervisor's Response:

The response by the supervisor will be in writing and a copy will be forwarded to the Director of Human Resources for the grievance file. If the response is in favor of the grievant, it will specify action which will be taken to correct and redress the grievance.

Grievance procedure - Step Three

□ Submitting Grievance to Higher Level:

If the aggrieved employee is not satisfied with the response received under Step Two or if the response is not sent (mailed or hand delivered to the aggrieved employee) within the prescribed four (4) working days, the employee may contact the Director of Human Resources within ten (10) working days of receipt of an unsatisfactory response or failure of action.

The Director of Human Resources will then arrange within four (4) working days for the grievance to be taken by the employee to the next supervisory level. Each supervisory level may request a copy of the original grievance and any subsequent determinations, and may meet with the grievant. If, however, the employee does not initiate such further action within ten (10) working days, it will be assumed that the response was satisfactory and that the grievance is finished.

□ Unresolved Grievance:

If the grievance is not resolved at any given supervisory level, the employee may take the grievance through all consecutive supervisory levels up to and including the major department head. The Director of Human Resources will coordinate this procedure.

□ Filing Each Response:

At all supervisory levels, the decision will be stated in writing to the aggrieved employee within four (4) working days, and a copy will be forwarded to the Director of Human Resources for the grievance file. If the decision is in favor of the grievant, it will specify action which will be taken to correct and redress the grievance. A copy will also be sent to all preceding supervisory levels to whom the grievance has been addressed.

Grievance Procedure - Step Four

□ Grievance Review Committee:

If the aggrieved employee is not satisfied with the response received under Step Three, or if the response is not sent (mailed or hand delivered) to the aggrieved employee within the prescribed four (4) working days, the employee may contact the Director of Human Resources within ten (10) working days of receipt of an unsatisfactory response or failure of action. The Director of Human Resources will then arrange for the appointment of a Grievance

Review Committee within ten (10) working days of the request by the employee. If, however, the employee does not initiate such further action within ten (10) working days,

it will be assumed that the response was satisfactory and that the grievance is finished.

□ Committee Selection:

The Grievance Review Committee will be comprised of three (3) impartial members who are chosen by the President from the Grievance Review Committee pool, as outlined in G 3.8. Those appointed shall be from units outside the department of the grievant. One employee shall be designated chairperson of the committee by the President. The committee shall investigate the grievance, accumulate and study the facts in the case, and conduct all hearings.

□ Committee Recommendation:

The hearing officer/chairperson of the committee shall rule on questions of procedure. In addition, the hearing officer/chairperson shall reduce to writing and forward to the President the committee's findings and recommendation for disposition of the grievance.

Within a period of ten (10) working days after notification of committee appointment, unless extended for cause by the committee chairperson, the committee shall fulfill its charge. If the committee response time is extended for cause, the grievant will be given notice of the cause in writing.

□ President's Decision:

The grievance decision by the President will be stated in writing to the grievant within ten (10) working days of receipt of the report of the Grievance Review Committee, and a copy will be forwarded to the Director of Human Resources for the grievance file. The decision of the President shall be the final step in the internal grievance process. If the decision is in favor of the grievant, it will specify action which will be taken to correct and redress the grievance. Copies will also be sent to the major department head to whom the grievance had been addressed.

REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	
Choose an item.	