

## **APPENDIX A**

### **Employee Grievance Policy**

#### **80.1 Policy**

It is the intention of the University to deal fairly with all employees. In the normal course of working together on a day-to-day basis, problems in connection with the working relationship can be expected to arise. In most cases, the problem can, and should be, resolved at the first level of supervision. However, when a mutually satisfactory solution cannot be worked out at the first level, the staff employee should be given an opportunity to appeal the decision without fear of prejudice.

**80.1.1** The procedure outlined herein is designed to provide a method of dealing with staff employee grievances in a prompt and equitable manner without placing an unreasonable burden on the University's resources and Human Resources. The proceedings are informal in nature. Procedural due process in this context does not require many of the features of the formal judicial proceedings employed by the courts of law, such as public hearing, representation by counsel, cross-examination of witnesses, warning as to self-incrimination, compulsory production of witnesses, and adherence to rules of evidence. Thus, emphasis is placed on a method of getting at the facts, assuring that they are reported accurately to the proper authority, and providing a decision which is fair to all concerned.

**80.1.2** Only regular full-time and part-time employees, who have successfully completed the new employee's probation are eligible for the provisions of this policy. [While employees are strongly encouraged to pursue the grievance procedure when problems occur in the employment relationship, employees are advised that they have the option to file a complaint with the local Equal Employment Opportunity Commission whenever it is believed that discrimination has occurred on the basis of race, color, sex, religion, national origin, age, disability, marital status, or veteran status.]

#### **80.2 Procedure**

##### **80.2.1 Stage I**

###### **80.2.1.1**



**80.2.3.2** The appeal shall be made within three (3) working days after receiving the decision, or if no decision is received after expiration of the time allowance of the Department Head, Dean, or Director as stated in Stage II.

**80.2.3.3** The Human Resources Director may request that the appeal be stated in writing, including the remedy requested to resolve the grievance, and the staff employee shall be obligated to comply with the request.

**80.2.3.4** The Human Resources Director, or designated representative, shall investigate the appeal, and shall forward a recommendation for disposition to the Vice President or Administrative Officer of operational jurisdiction within five (5) working days after receipt of the appeal.

**80.2.3.5** The Vice President or Administrative Officer shall render a decision in writing, with a copy to the staff employee, within five (5) working days after receipt of the recommendation of the Human Resources Director.

**80.2.3.6** A copy of the decision of the Vice President or Administrative Officer shall be forwarded to the University's Human Resources Office.

#### **80.2.4 Stage IV**

**80.2.4.1** If the aggrieved staff employee is not satisfied with the decision of the Vice President or Administrative Officer, and if the grievance is one of the following:

**80.2.4.1.1** A charge of unfair employment termination.

**80.2.4.1.2** A charge of a discriminatory act in violation of stated University fair employment rules and regulations.

**80.2.4.1.3** A charge of violation of basic University Human Resources policies.

The staff employee may, during the next five (5) working days request a formal hearing before a Grievance Hearing Committee in accordance with the procedures outlined herein.

**80.2.4.2** A Grievance Hearing Committee shall consist of a Hearing Officer and three (3) impartial members who are employed by the University in units outside the department of the grievant to be appointed by the President. The Hearing Officer and members of the Committee shall investigate the grievance, accumulate and study the facts in the case, and conduct necessary hearings.

**80.2.4.2.1** The Hearing Officer shall be a non-voting member of the Committee. In addition, the Hearing Officer shall reduce to writing and forward to the President and the Committee's findings and recommendations for disposition.

**80.2.4.3** The procedure for hearings shall be as follows:

**80.2.4.3.1** The request for a hearing shall be in writing, stating specifically the nature of the grievance, (not merely a restae of

**80.2.4.3.8** A copy of the Committee's report of findings and recommendations, together with a copy of the President's final decision, shall be forwarded to the University's Human Resources Office.

### **80.3 Operational Information**

**80.3.1** The Human Resources Director shall be available to render such assistance as may be necessary or requested by all parties involved in the grievance process to aid in the prompt settlement of the grievance.

**80.3.2** All formal hearings held by a Grievance Hearing Committee shall be electronically recorded to ensure that the facts presented are recallable accurately during the Committee's deliberation. Such records are maintained solely for the University's use and benefit and shall be confidential and remain the property of the University.

**80.3.3** Any decision which is not appealed by the aggrieved staff employee within the time allowance given at each stage of the procedure shall be construed to indicate the alleged grievance does not warrant further consideration. However, extenuating circumstances such as a substantiated illness or accident may be grounds for waiving the stated time allowance in the interest of ensuring the staff employee an opportunity to present the complaint.