

## POLICY 17 GRIEVANCES

### Rule 17.01 – Complaint Step

Employees and supervisors are expected and encouraged to make every effort to resolve problems as they arise through informal discussion. If informal discussions do not resolve the issues, the employee may initiate a complaint as the first step in the grievance process.

#### Initiating the Complaint Step

The employee has a complaint when some situation or event related to employment is viewed as unsatisfactory by the employee. The employee must bring the complaint to the designated supervisor's attention within twenty-one (21) calendar days of an incident or knowledge of the occurrence giving rise to the complaint, and must inform the supervisor that the complaint step of the grievance process is being initiated. An employee may initiate a complaint personally or with the assistance of a representative of the employee's choice who may, but need not, be another employee of the University.

#### Complaints and Grievances Alleging Discrimination, Discriminatory Harassment or Sexual Harassment

Complaints and grievances alleging discrimination, discriminatory harassment or sexual harassment in violation of University policy do not follow the grievance procedures outlined in these Policy and Rules. Campus procedures for complaints and grievances alleging discrimination or harassment are the exclusive procedures for handling such grievances. These procedures can be obtained from the campus affirmative action/equity offices.

If an employee is disciplined for a violation of University nondiscrimination or sexual harassment policy, the procedures outlined in these Policy and Rules may be followed to grieve such discipline.

If a grievance contains an allegation of discrimination, discriminatory harassment or sexual harassment in addition to another violation of Policy and Rules, the grievance shall be filed both through the procedures for discrimination and through the grievance procedures contained in this rule. The campus procedures for discrimination allegations shall be completed before the grievance procedures contained in this rule proceed.

#### Discussion of Complaint

The employee and supervisor (and/or other appropriate official) will meet to discuss the complaint in an effort to resolve it. The employee's designated supervisor is responsible for identifying other unit officials who should be included in discussions with the employee to resolve the complaint. If the issues are not clear, the supervisor may require additional discussion or information; however, the complaint step shall be completed within fourteen (14) calendar days

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from the time the complaint is made. This time limit may be extended if the employee and the supervisor mutually agree in writing to an extension.

#### Additional Assistance

If the designated supervisor and/or the employee, after full discussion, feel the need for assistance in arriving at a resolution, they may, by agreement, invite such other additional University or employee representatives as may be necessary and available to participate in further discussions within the time limits described above. Such additional participants shall act as resource personnel but shall not relieve the designated supervisor and the employee from the responsibility for resolving the complaint.

#### Recourse if Complaint not Resolved

The above procedure, if followed in good faith by both parties, should lead to a fair and prompt resolution of most problems between a unit official and the employee. If, at the end of the fourteen (14) calendar day complaint period, issues remain that can be considered grounds for a written grievance (defined in Policy 17 as an alleged violation of a specific section of these Policy and Rules), the employee may submit a written grievance to the unit head. If a written grievance is filed, the supervisor shall prepare a written summary of the issues discussed during the complaint step and provide it to the unit head and to the employee.

#### Time Requirements for Filing a Written \* Grievance

If within the fourteen (14) calendar day complaint period the supervisor and employee determine that the complaint will not be resolved, any written grievance must be filed within seven (7) calendar days from the date of that determination. If the complaint period expires and the supervisor and employee have not resolved the complaint, any written grievance must be filed within seven (7) calendar days from the end of the fourteen (14) calendar day complaint period.

A grievance may be filed under the steps indicated in Rules 17.02 – 17.05 by an employee or a group of employees. A representative of the employee(s) may assist with the preparation of the grievance. The time limit for filing the initial grievance may be extended in writing for good cause by the Chancellor or a designee named by the Chancellor.

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\* All grievances referred to in the following Rules 17.02 – 17.05 must be in written form.

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**Omission of Complaint Step Following Disciplinary Action**

An employee initiating the grievance process regarding disciplinary action imposed after a predisciplinary meeting may file a written grievance without initiating the complaint step. The grievance must be filed within twenty-one (21) calendar days from the date the employee receives written notice of the discipline imposed. In case of disciplinary suspension, the written grievance must be filed within twenty-one (21) calendar days from the date the employee receives a Notice of Disciplinary Suspension, or within seven (7) calendar days following the scheduled date of return from a disciplinary suspension, whichever provides the longer filing period.