

POLICY 17 GRIEVANCES

Rule 17.06 – Request for Arbitration

If the University Level decision of the Director of Human Relations and University Equal Opportunity does not acceptably resolve the grievance to the employee, the grievance may be moved to arbitration, unless arbitration is specifically precluded by other provisions of Policy and Rules or the State Universities Civil Service System Statute and Rules.

Time Limit for Filing

The request for arbitration must be filed within thirty (30) calendar days after receipt of the University Level decision.

Costs of Arbitration

Costs of the arbitration, including the fee of the chairperson, shall be equally divided between the employee requesting arbitration and the University, except that each party will be responsible for any expense (a) incurred in the preparation and presentation of its own case, (b) for the salary and expenses of its own member of the Arbitration Board, and (c) for any transcript it may order.

Filing a Request for Arbitration

An appeal of a grievance by an employee to arbitration may be instituted by filing with the Associate Vice President for Administration and Human Resources a request for arbitration stating the issue of the original written grievance to be arbitrated and designating one (1) member of the Arbitration Board. The employee who has filed the appeal cannot be the employee-designated member of the Arbitration Board.

Arbitration Board Selection

The Associate Vice President for Administration and Human Resources or a designee shall name a second member of the Arbitration Board, who shall be acceptable to the appropriate Chancellor. Within ten (10) workdays after their designation, these two (2) members shall endeavor to agree on a third member who shall act as chairperson of the Board.

In the event they cannot agree upon a chairperson the two (2) designated members of the Arbitration Board shall, within ten (10) workdays following disagreement on the selection of the third member, jointly request a list of five (5) arbitrators from the Director of the Federal Mediation and Conciliation Service or the Illinois Educational Labor Relations Board.

Within fifteen (15) workdays of receipt of such list, the two (2) designated members of the Arbitration Board shall select a chairperson for the Arbitration Board by alternately striking names from the list, with the University designee striking the first name. The last remaining name shall be the chairperson. If, for any reason, the person thus selected is unavailable, the procedure shall be repeated. If necessary a new list shall be requested.

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Dilatory tactics or actions will not be permitted, and the designated members of the Arbitration Board shall make all good faith efforts to select a chairperson within forty-five (45) calendar days but in no event later than sixty (60) calendar days after the appeal to arbitration by the employee. Failure of the employee's designated Arbitration Board member to select a chairperson within the prescribed time limits shall render the request for arbitration null and void, and the decision of the Director of Human Relations and University Equal Opportunity shall be final and binding upon the University and the employee.

Final and Binding Decision

The decision of the Arbitration Board shall be final and binding upon the University and the employee. The Arbitration Board shall have no power to add to, subtract from, modify, or amend any provision of Policy and Rules.

Regulation

17.061 Grievances that May Not be Appealed to Arbitration

Grievances that concern discrimination, an employee's position classification, or an employee's pay under the Open Range Pay Plan may not be appealed to arbitration.