

## **GRIEVANCE PROCEDURE**

Chancellor's Office Policy  
Effective 07-01-97

### **Applicability**

All unclassified employees in the Chancellor's Office. The Chancellor, Vice Chancellors, the Presidents of the institutions, temporary and student employees are specifically excluded.

### **Definitions**

1. "Grievance" is defined as a complaint by an employee that he/she was wronged in connection with compensation, other conditions of employment, or that the employee's rights as to reappointment were denied.
2. "Other conditions of employment" shall include, but not necessarily be limited to, allegations of discriminatory employment practices, nondiscriminatory employment practices and laws, rules, policies, and procedures under which the Chancellor's Office operates.
3. "Days" means calendar days, excluding holidays, unless expressly designated otherwise.

### **Steps**

Step 1 Informal. The employee shall first attempt to resolve the complaint with his/her immediate supervisor or the supervisor who has the authority to resolve the complaint. If the complaint is related to the specific behavior of the supervisor, the complaint may be filed at the next level. The grievance shall be initiated within thirty (30) days of the date the employee knew or reasonably should have known of the alleged violation. In all cases, the employee and the supervisor shall attempt to meet to resolve the complaint at the lowest possible level.

Step 2 Formal. If the complaint is not resolved at the informal step within fourteen (14) days from the initiation of the complaint, the employee shall put the complaint in writing. This grievance shall be signed by the employee and submitted to the next level of supervision within fourteen (14) days. An employee who reports to a Vice Chancellor shall send the grievance to the Chancellor. The supervisor shall submit a copy of the grievance to the Employee Relations Manager. The grievance shall:

- a. Identify any policy, rule, procedure, or practice which is alleged to have been violated;
- b. Set forth a statement of the facts relevant to the grievance; and
- c. Specify the remedy which is being sought.

The supervisor shall respond in writing to the employee within fourteen (14) days upon receipt of the Step 2 appeal.

Step 3. If the grievance is not resolved at Step 2, or no next-level supervisor is available due to the organizational structure, a written request for a formal grievance meeting shall be submitted by the employee to the Vice Chancellor over your work unit or his/her designee within fourteen (14) days of the issuing of the response at Step 2.

Within fourteen (14) days of the receipt of the written request, the Vice Chancellor or designee shall schedule a meeting with the employee and any other individuals that the Vice Chancellor or designee believes would contribute to the resolution of the problem. The Vice Chancellor or designee shall respond in writing to the employee within thirty (30) days. The decision of the Vice Chancellor or designee is final and binding.

### **Alternative Dispute Resolution**

The parties may agree to submit the dispute to mediation at any step in the grievance procedure. Administrative issues regarding the terms and provisions that apply to mediation shall be agreed to by the parties in advance of scheduling the first session. If mediation does not resolve the dispute, the grievant may move the grievance to the next level.

### **Time Lines**

1. In the event a decision is not made at any level within the designated time limit, the grievant may submit the grievance to the next step.

2. Time lines may be modified by mutual agreement in writing. Any authorized absence of the employee or the supervisor who has the authority to resolve the grievance that nullifies any time line of this grievance procedure shall be cause for automatic extension of the time lines to accommodate the absence. In no instance shall the length of time between the presentation of the grievance and the Vice Chancellor's decision be more than 180 days, unless agreed to by the grievant.

### **Non-Reprisal**

No reprisals shall be taken against any employee for the exercise of his/her rights under the provisions of this policy.

### **Representation**

An employee need not be represented at any step of the procedure. However, an employee may be represented by an attorney or another Chancellor's Office employee at any step of this procedure. If an employee intends to be represented by an attorney, he/she shall so advise the Employee Relations Manager no less than 48 hours prior to the attorney's first appearance at the Chancellor's Office. The expense of an attorney shall be borne entirely by the employee.

### **Release Time**

The employee and his/her representative, if that representative is an employee of the Chancellor's Office, shall be in active pay status within their normal working hours when they are required to be present at any of the steps of this procedure or in any investigatory procedure related to the grievance when initiated by the employer. The employee shall use his/her own time for preparation for any step of the grievance procedure.