



Policy and Procedures Manual Application: All Personnel Section 9 Grievance Procedure

A 9 GRIEVANCE PROCEDURE (excluding Title IX sexual misconduct, Title VII civil rights discrimination and Americans with Disabilities Act (ADA) violations)

Acts of alleged violations concerning sexual misconduct, civil rights discrimination or ADA violations are governed by the Title IX Grievance Process, Exhibit III of this handbook.

East Central University recognizes the right of employees to express legitimate concerns when the terms of his/her employment have been violated or when they have a legitimate complaint, question, or problem concerning working conditions. The issues resolution process is open to all employees. Wages and salary, job classifications, fringe benefits, terminations, and University policies do not qualify as grievance concerns.

Employees should attempt to resolve all complaints by informal discussions with his/her immediate supervisor within 14 working days of the occurrence giving rise to the complaint. If the dispute is not resolved at this level, then the employee may request an appointment to discuss the problem with the appropriate person at each administrative level up to and including the University President.

Should the employee still feel that his/her rights under University policy have been violated he/she may originate and file a formal grievance. The written grievance should be filed with his/her immediate supervisor unless the complaint is against the supervisor, in which case the complaint should be filed with the Employee Services Office or the appropriate Vice President within three working days of the final informal discussion with the administrative leadership, and should contain the following:

- (a) A clear and detailed, signed statement of the complaint
- (b) The specific remedial action or relief sought
- (c) A summary outlining with whom the points of dissatisfaction were discussed and with what results, and
- (d) The reason(s) why remedial action or relief is sought.

The respondent, if an employee, shall be provided a copy of the grievance within 14 working days of receiving the formal grievance. The person receiving the complaint shall respond in writing to the grievant's request(s) within three working days. If the grievant is still dissatisfied, he/she may submit the grievance to the department supervisor, or the appropriate Vice President. The supervisor or Vice President should respond to the grievant's request(s) in writing within three working days.

If the grievant is still dissatisfied, a formal written request for a Grievance Committee hearing should be submitted within three working days of the issuance of the response from the Director or Vice President.

The Director or Vice President shall appoint a grievance committee comprised of five members, any three of which constitute a quorum for any purpose, from among the full-time employees of the University within three working days.

The Grievance Committee shall be convened normally within five working days of appointment, and each member shall be instructed on procedures to assure that all aspects of the grievance procedure are clearly understood. This time may be extended by the Vice President for good cause.

- 1) The Committee shall elect a chairperson, who will be a voting member.
- 2) The grievant shall be heard first in all phases of the grievance hearing.
- 3) Length of hearing sessions shall be established in advance, and reasonable rest periods shall be assured all participants throughout the duration of the hearing.
- 4) A 15-minute time limit will be imposed for opening and closing statements.
- 5) A confidential tape recording of the proceedings shall be made by administrative clerical staff and shall be the official minutes of the hearing. This tape will be accessible to the parties involved, to members of the Grievance Committee, and to all authorized representatives on a need-to-know basis. A copy of the tape may be requested by either party, provided that the requesting party supplies a blank tape.
- 6) Either party shall have the right to call witnesses, and may be assisted by a person of his/her own choosing in preparing and presenting a grievance. Attorneys are excluded. Witnesses shall be heard individually, and shall be excluded from the hearing room when not actually testifying.
- 7) All testimony pertaining to the grievance hearing shall be held in confidence between the grievant and respondent, witnesses who appear before the committee, the Grievance Committee members, and other necessary officers of the university.
- 8) Only evidence pertinent to the grievance may be introduced into the hearing. Questions of pertinence shall be decided by the chairperson.
- 9) Both parties involved in the grievance must furnish six copies of all written documents pertaining to the grievance.
- 10) The Grievance Committee's recommendation shall be submitted to the University President within 14 working days after the hearing is completed. This time may be extended by the Vice President for good cause. Both parties shall receive copies of the committee's recommendation.

The University president shall have 14 working days to make a final decision on the grievance (which may be extended for good cause); thereafter, the final decision shall be communicated to the grievant and to the corresponding Vice President.