

# Grievance Procedure

LAST REVISED ON 09/2016

**This policy applies to:** All regular full-time and part-time staff members. (Individuals represented by collective bargaining agreements receive benefits in accordance with those agreements.)

**Notes:** A newly hired employee in the probationary period (nonexempt hourly job classifications) or introductory period (Professional Administrative and Supervisory (PAS) job classifications-including those paid hourly) whose employment is terminated may not use the University's grievance procedure to grieve the termination.

Complaints that contain allegations of discrimination and/or harassment based upon one or more protected classes ( age, color, disability, ethnicity, gender identity or expression, genetic information, marital status, military/veteran status, national origin, race, religion/creed, sex, and sexual orientation) and are otherwise covered by the complaint and investigation process outlined in the [Policy Against Discrimination and Harassment \(Policy 106\)](https://www.rochester.edu/policies/policy/discrimination-harassment/) (<https://www.rochester.edu/policies/policy/discrimination-harassment/>) will be dealt with under the Policy 106 process rather than the grievance procedure.

## I. Policy

The grievance procedure is designed to supplement the informal departmental means of resolving staff members' problems or complaints. It may be used whenever a staff member's efforts to solve the problem through discussion with the immediate supervisor have been unsuccessful. The staff member may invite someone to accompany him/her to the meeting(s) with the department head, dean/director or review committee.

## II. Procedure

The following steps comprise the grievance procedure.

## **A. Step 1**

- The staff member shall present a request to grieve the problem or complaint in writing to the department head. This shall be done as promptly as possible—generally no more than one week after the incident or action under question.
- Upon receipt of the written statement, the department head and/or designee will promptly contact the staff member to schedule a meeting to hear the grievance. The department head and/or designee will reply in writing to the staff member with his/her decision and the reason for it as promptly as possible.
- If the department head's and/or designee's decision does not resolve the problem to the staff member's satisfaction, the staff member shall contact the appropriate dean or director within one week of receiving the department head's response under Step 1.

## **B. Step 2**

- The staff member shall send the dean or director a copy of the request to grieve the complaint and the response from Step 1 along with a letter explaining his or her reasons for dissatisfaction with the response or outcome.
- The dean or director and/or designee will promptly meet with the individual and any others concerned. The dean or director and/or designee will reply in writing generally within two weeks of the meeting with the staff member. In cases where the dean or director and/or designee find the need for a longer inquiry, he/she will inform the individual within two weeks as to approximately when the decision will be rendered.
- If the staff member feels that the problem has not been satisfactorily resolved at Step 2 and desires further appeal, he/she may refer the grievance to the review committee.
- The review committee is chaired by a senior administrative official of the University and includes two other persons selected by the president who have not been involved in any earlier review of the problem. The associate vice president for Human Resources and/or designee serves as an ex-officio member of the committee and assists in procedural and policy matters.

## C. Step 3

- Within two weeks of receiving the response from Step 2, the staff member shall provide the chair of the review committee with copies of the 1st and 2nd step statements and responses, along with an explanation of his or her reasons for dissatisfaction with the decision received at Step 2.
- The review committee will schedule a meeting for the staff member to present his or her case. A decision will be issued in writing generally within three weeks of the meeting. In cases where the need for a longer inquiry is necessary, the individual will be advised as to approximately when a decision can be expected.
- The decision of the review committee completes the final appeal step and is binding upon all parties within the University.

## III. Assistance

The Office of Human Resources is available to assist staff members in both the informal and formal resolution of their grievances. Help may also be obtained from the University Intercessor.

**Note:** Information outlining the grievance procedure entitled “Resolving Problems at Work” is available from the Office of Human Resources, the University Ombuds Office, or the Employee Assistance Program.

See also:

- [#169 Probationary Period \(https://www.rochester.edu/policies/policy/probationary-period/\)](https://www.rochester.edu/policies/policy/probationary-period/)
- [#106 Policy Against Discrimination, Harassment, and Discriminatory Employment/Service Practices \(https://www.rochester.edu/policies/policy/discrimination-harassment/\)](https://www.rochester.edu/policies/policy/discrimination-harassment/)

## **ABOUT THIS POLICY**

### **Policy Number**

160

### **Policy Group**

Human Resources

### **Issuing Authority**

Human Resources

### **Responsible Officer**

Barb Saat

### **Contact Information**

[barbara.saat@rochester.edu](mailto:barbara.saat@rochester.edu) (mailto: barbara.saat@rochester.edu)

## **RELATED POLICIES**

**[Policy Against Discrimination, Harassment, and Discriminatory Employment/Service Practices \(https://www.rochester.edu/policies/policy/discrimination-harassment/\)](https://www.rochester.edu/policies/policy/discrimination-harassment/)**

## **POLICY KEYWORDS**

**[Conduct \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=346\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=346)**

**[Harassment \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=1426\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=1426)**