



Classified Employee Grievance Policy

Policy Statement

It is the policy of the University to develop and maintain a satisfied and efficient work force. When an employee feels he/she has been treated unjustly, he/she has the right to use the grievance procedure without fear of coercion, discrimination or reprisal because of this action. Only those grievances that cannot be appealed to the Civil Service Director or the Civil Service Commission shall be processed through the agency grievance procedure.

Purpose of Policy

Southeastern Louisiana University wants employees to be happy in their work. Sometimes dissatisfaction arises in the relationship between employees or between employees and their supervisor. If this occurs, employees should feel free to discuss a complaint with their supervisor. If, however, classified employees are not satisfied with the supervisor's decision, then they may use the Southeastern Louisiana University grievance procedure, which follows.

If a grievance is settled orally with the immediate supervisor, a memorandum record of the grievance will be prepared provided the employee is represented at that step. It is incumbent upon every supervisor to provide his/her employees with an opportunity to be heard in accordance with this policy.

Applicability

This policy applies to all Classified Employees only.

Policy Procedure

Step One:

The employee may present the grievance to his/her immediate supervisor within five (5) working days of the incident or after he/she has received written notice of the incident which caused the employee to be aggrieved. The employee has the right to have his/her Union Steward present with the employee at this meeting. The supervisor will respond to the grievance within three (3) working days thereafter. If the immediate supervisor does not have the authority to resolve the grievance, then the supervisor should indicate so in the response. An employee may skip the grievance step that involves an individual in the employee's supervisory chain, if the grievance has to do with harassment by that individual.

Neither the employee nor his/her Steward should disrupt their work schedule to present a grievance to the supervisor. They will arrange a meeting at a time, which is mutually convenient. The supervisor will be expected to give this meeting prompt attention.

Step Two:

If the employee is not satisfied with the decision of the immediate supervisor, or if the immediate supervisor does not have the authority to resolve the grievance, then he/she may, within five (5) working days of the receipt of such decision or within five (5) working days of the incident if applicable, submit a grievance in writing to the appropriate dean, director, or assistant vice president.

The dean, director, or assistant vice president will then meet with the employee, and the employee's representative within 5 working days after receiving the grievance, will render a decision, and respond in writing within five (5) working days thereafter. The employee at this time indicates on the grievance form whether or not he/she is satisfied with the decision of the department head. If the employee is not satisfied with the decision, he/she may within 10 working days of the receipt of the written decision submit a grievance to the Delegated Appointing Authority.

Step Three:

The Delegated Appointing Authority, or the President's designee will conduct a hearing within 5 days of receiving the grievance, render a decision, and respond in writing within 5 working days following the hearing. The employee indicates on the grievance form whether or not he/she is satisfied with the decision. If the employee is not satisfied with the decision of the Delegated Appointing Authority, or the President's designee, the grievance may be submitted to the President within 10 working days.

Step Four: The President or an appointed representative shall meet with the employee, and the employee's representative within ten (10) working days of the receipt of the written grievance, shall render a decision, and respond in writing within five (5) working days thereafter.

This is the final step in the agency grievance procedure.

GRIEVANCES vs. CIVIL SERVICE APPEALS

Performance Evaluation System Performance Evaluation System Reviews are handled by a different process than the classified grievance procedure. Reviews are conducted by the Director of Human Resources or by a review committee.

Disciplinary Actions and reprimands

These matters are addressed through the Civil Service disciplinary process. Complaints about letters of warning, reprimands, or counseling are handled by written responses and not through the grievance process. When an employee is given a written reprimand or discipline, the employee has the opportunity to respond.

Appeals to the Director of Civil Service

- An allocation or reallocation decision
- The rejection of an application
- A determination that an applicant lacks the minimum qualifications
- A reviewer's decision concerning a Performance Evaluation System rating given to a permanent employee
- Appeals to the Civil Service Commission
- A reassignment of a permanent employee for disciplinary reasons (moving an employee, for disciplinary reasons, into a different position with a different job title that has the same pay level)
- A suspension without pay, reduction in pay; involuntary demotion, or dismissal of a permanent employee
- A non-disciplinary removal of a permanent employee
- A layoff of a permanent employee
- An employment action/decision that discriminates against an employee because of his or her political or religious beliefs, sex, or race
- An employment action/decision that violates a Civil Service Rule or the Civil Service Article (Article X, Part 1 of the state constitution)

Grievances

Health and safety concerns, personality disputes between supervisor and subordinates or among workers, perceived unfair treatment that does not rise to the level of discrimination, changes in work location or hours, requirements of supervisory plans are all concerns that can be grieved against. However, for many actions, the difference between whether the action is appealable or can be grieved against is why the employee is challenging the action.

General provisions

- The grievance policy, procedure and forms are accessible on the university's website.
- The appointing authority may designate a hearing officer or a grievance committee to hear a grievance.
- Multiple grievances filed by an employee that involve similar or related circumstances may be consolidated.
- Separate grievances filed by two or more employees regarding the same issues may be consolidated.
- The agency has the right to collect evidence in a manner that is least disruptive to agency operations, and most cost-effective. If travel is necessary, the travel expenses of witnesses called to give a statement in a grievance shall be paid by the agency.
- In a grievance procedure, the person against whom the grievance complaint is made shall have the right to give a statement at the hearing.
- An employee who files a grievance may be granted appropriate time during work hours to be involved with the procedure; however, employees have no right to use excessive amounts of work time for their grievances. The employer has a responsibility to ensure that the effective and efficient operations of the work unit continue without disruption. Grievance rights do not relieve an employee of the responsibility to do the assigned job.
- The time and place of the hearing shall be specified by the appointing authority. The hearing is to take place during regular business hours at a place accessible to the grievant. No employee may use his or her position to coerce, attempt to coerce, or influence in any improper manner, any hearing officer or member of a grievance committee. Any classified employee who uses his or her official position to coerce, or influence in any improper manner any person involved in the grievance process shall be subject to disciplinary action.

Summary Disposition of a Grievance

At any time after the filing of a written grievance, an appointing authority may dismiss the grievance for any of the reasons listed below.

1. The action is appealable to the Director of Civil Service or to the Civil Service Commission.
2. The grievant does not work for the agency.
3. The person against whom the grievance is filed does not work for the agency.
4. The grievance has not been made in the required manner or within the prescribed period.
5. A decision on the grievance would be ineffective or moot.
6. The relief sought cannot be granted.
7. The appointing authority has determined the grievance to be frivolous.
8. The grievance is being used to impede the efficient operation of the agency.
9. The grievant did not appear for the grievance hearing.

When an appointing authority dismisses a grievance, he or she shall notify the grievant and any supervisor or section head who received the grievance.

CLASSIFIED EMPLOYEE GRIEVANCE FORM

An employee shall present the grievance to his/her immediate supervisor within five (5) working days after the incident or after he/she has received written notice of the incident which caused the employee to be aggrieved. The employee has the right to have his/her Union Steward at each step of the grievance procedure in accordance with our Union Agreement.

The grievance form shall be completed at each step at which the appeal is made. The original grievance form, when completed, must be placed on file in the Human Resources Office. If space on the form is insufficient for statements or responses, then attached statements are accepted.

Name: _____ Date: _____

Job Title: _____

GRIEVANCE STATEMENT Describe the issue(s) that caused you to be aggrieved.

RELIEF SOUGHT Describe the outcome(s) you want to achieve from your grievance.

Employee's Signature: _____ Date: _____

STEP ONE - Supervisor

The immediate supervisor will conduct a hearing within five (5) working days of receipt of the grievance and respond in writing to the employee within three (3) working days thereafter.

Signature: _____ Date: _____

Employee Answer: (Initial by the appropriate response and date.)

____ I am satisfied with the response to my grievance.

____ I am not satisfied with the response to my grievance. Date: _____

If not satisfied with the decision of the immediate supervisor, then the grievant may within five (5) working days of the receipt of the response submit the grievance in writing to the appropriate dean, director, or assistant vice president.

STEP TWO- Dean, Director, or Assistant Vice President

The appropriate dean, director, or assistant vice president will meet with the employee within five (5) working days after receiving the grievance and will render a decision and respond in writing to the employee within five (5) working days, thereafter.

Signature: _____ Date: _____

Employee Answer: (Initial by the appropriate response and date.)

____ I am satisfied with the response to my grievance.

____ I am not satisfied with the response to my grievance. Date: _____

If not satisfied with the decision of the dean, director, or assistant vice president, then he may within ten (10) working days of the receipt of the response submit the grievance in writing to the Delegated Appointing Authority, in most cases, the Director of Human Resources.

STEP THREE- Delegated Appointing Authority

The Delegated Appointing Authority will conduct a hearing within five (5) working days of receiving the grievance and render a decision within five (5) working days following the hearing.

Signature: _____ Date: _____

Title: _____

Employee Answer: (Initial by the appropriate response and date.)

____ I am satisfied with the response to my grievance.

____ I am not satisfied with the response to my grievance. Date: _____

If not satisfied with the decision of the delegated appointing authority, then he may within ten (10) working days of the receipt of the response submit the grievance in writing to President or his appointed representative.

STEP FOUR - President or his appointed representative

The President or his appointed representative shall meet with the employee and the employee's representative within ten (10) working days of the receipt of the grievance and render a decision within five (5) working days thereafter. This is the final step in the agency grievance process.

Signature: _____ Date: _____
Title: _____

This is the final step of the Grievance Process.

[end of policy]