

 Category: Human Resources Policy applicable for: Unrepresented Classified and Unclassified Employees	<i>Policy Title:</i> Complaint Resolution Effective Date: 9/1/2012 Prior Effective Date: 9/1/2009 – 8/31/2012	<i>Policy Number:</i> 17.01 Policy Owner: Sr. VP for Administration and Finance Responsible Office(s): Labor Relations
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Background

To provide a uniform employee dispute resolution process for unrepresented classified and unclassified employees.

Policy

The University recognizes the interest of its unrepresented classified and unclassified employees to seek resolution of complaints if the employee believes that his/her supervisor, acting on behalf of the University, has violated certain rules, policies or procedures.

It is the intent of the University to address and attempt to resolve employee complaints informally at the lowest possible administrative level.

For any complaint involving alleged discrimination and harassment, the employee must contact the Office of Equal Opportunity and follow its procedures. www.uc.edu/hr/equal_opportunity

The employee bears the burden of proof at all stages of the complaint process.

Issues about any of the following actions are not subject to the complaint resolution process and are not grievable:

- A. Human Resources policies and procedures
- B. Matters that have been appealed to an agency or process external to the University
- C. Matters that are appealable to the State Personnel Board of Review (applies to classified, unrepresented staff only)
- D. Failure of a probationary period
- E. Performance evaluations
- F. Pay increases
- G. Results of a reclassification request
- H. Job abolishment or layoff
- I. Involuntary reduction or demotion
- J. Termination without cause

Procedure

The employee must first bring the issue to the attention of his/her immediate supervisor within seven (7) working days of the time the employee becomes or should have become aware of the matter. This can be done verbally or in writing. The employee and the supervisor shall meet to discuss the issue and make a reasonable attempt to resolve it.

If the issue is not resolved, the employee shall reduce the issue to writing and submit it to the appropriate administrator (generally the immediate supervisor's supervisor) within seven (7) working days of the meeting date with the immediate supervisor.

The administrator is to schedule a meeting with the employee to discuss the alleged violation and attempt to resolve the issue. The meeting should occur within ten (10) working days of receipt of the grievance. The administrator is responsible for issuing a written response to the employee within ten (10) working days of the meeting.

If the grievance is not resolved after the employee receives the written response of the administrator, the employee may appeal the response to the Labor Relations Office. The employee must submit the written appeal to the Labor Relations Office within five (5) working days of receipt of the administrator's response.

The Labor Relations Office will appoint a three-member grievance panel to hear the appeal and coordinate the scheduling of the grievance meeting. The selected panel members may not be from the same department, college, or division of the University as the employee.

The grievance panel will meet with the employee and the department representative(s), and hear statements from both parties. The grievance panel will collect relevant information. The panel will provide the Labor Relations Office with a written summary of facts and a recommendation for action within ten (10) working days of the meeting.

The Labor Relations Office will provide the Chief Human Resources Officer with a copy of the summary and recommendations provided by the grievance panel.

The Chief Human Resources Officer will issue a final decision concerning the grievance to the employee, the administrative authority and the Labor Relations Office.

Confidentiality

All information received in connection with the complaint process will be treated as confidential to the extent that it is feasible in the course of the investigation and is legally permissible. Parties to a complaint will be expected to be discreet and respectful.

Retaliation

University policy, state law, and federal law prohibit retaliation against an individual for reporting complaints of discrimination, or for participating in an investigation. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the complaint of discrimination. Any employee who believes that he/she has suffered any type of retaliation as a result of participation under this policy should provide the Labor Relations Office with a written description of the events, facts, and the names of individuals involved within ten (10) working days of the alleged retaliation. The Labor Relations Office will promptly investigate any allegations of retaliation.

Related Citations: University Rules 30-23-01, 30-23-05

Phone Contacts: Labor Relations (513) 556-6372

