

GRIEVANCE POLICY CLASSIFIED EMPLOYEES

To govern a formal grievance procedure in accordance with Civil Service Rule 3.1(m) to address conditions and circumstances which lead to dissatisfaction and/or misunderstandings in day-to-day relationships between employees, or between an employee and employer, and which cannot be resolved at an unofficial level.

It is the policy of the university to develop and maintain a satisfied and efficient work force. In furtherance of this policy, when an employee feels he/she has been treated unjustly, and cannot resolve the problem at an unofficial level, he/she has the right to the use of a formal grievance procedure without fear of coercion, discrimination, or reprisal. It is incumbent upon every supervisor to provide the employee with an opportunity to be heard in accordance with the grievance procedure.

The provisions of this grievance procedure are based on the authority contained in the Louisiana State Constitution, Article X, Section 10, Paragraph (A) (1), as well as Civil Service Rule 3.1 (m).

I. EMPLOYEES TO WHOM THE POLICY APPLIES

This policy applies to positions covered by the Department of Civil Service and includes full-time and part-time employees. *It excludes employees in "at will" positions and employees who are serving probationary periods.*

II. DEFINITIONS

- A. "Appealable" actions through the Civil Service Director**-an allocation or reallocation decision, rejection of an application, wrongful determination of minimum qualifications, a reviewer's decision concerning a PPR for a permanent employee.

- B. "Appealable" actions through the Civil Service Commission**-a reassignment of a permanent employee for disciplinary reasons, 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 race, sex, political or religious beliefs, an employment action that violates a Civil Service Rule or Article.

- C. Delegated Appointing Authority**-the designee of the Appointing Authority (President) for certain personnel matters and for the purpose of this policy, the Director of Human Resources.
- D. Grievance**-an official, internal agency procedure used to resolve classified employee complaints and other personnel actions that are not “appealable” to the Civil Service Director or the Civil Service Commission. Grievances are decided at the agency level and that decision is not “appealable” through the Department of Civil Service.
- E. Grievant**-the classified employee who files the grievance.
- F. Letter of Counsel, Warning, Reprimand**-a letter written to an employee by the supervisor addressing performance issues. Letters are kept at the supervisor level and are not considered disciplinary action.
- G. Respondent**-the employee against whom a grievance is filed.

III. POLICY STATEMENTS:

- A.** The steps of the grievance procedure as outlined are established to allow employees who feel that they have been aggrieved the opportunity to discuss their complaints freely with the appropriate personnel. In such cases where the relief sought cannot be granted at the Step 1 and/or Step 2 level, the grievant has the option of bypassing that particular step and proceeding to the next appropriate level.
- B.** An employee **may not use** the grievance procedure for dissatisfaction with the result of his/her annual PPR evaluation process. The employee should refer to the Performance Planning and Review Policy to request an official review of the PPR.
- C.** An employee **may not use** the grievance procedure to answer or address a Letter of Counsel, Warning, and or Reprimand given to them by the supervisor. The employee has the right to give a written response in that circumstance.
- D.** The Human Resources Office is responsible for administering the official grievance procedure for classified employees. The Director of Human Resources will serve as delegated Appointing Authority, and will call for grievance hearings in accordance with the grievance panel hearing guidelines.
- E.** The university reserves the right to consolidate grievances as necessary for the following reasons:
 - 1.** Multiple grievances filed by an employee that involve similar or related circumstances
 - 2.** Separate grievances filed by two or more employees regarding the same issues

- F. The university has the right to collect evidence in a manner that is least disruptive to operations, and most cost-effective. If travel is necessary, the travel expenses of witnesses called to give a statement in a grievance hearing shall be paid by the university.
- G. In the university's grievance procedure, the complainant and respondent may make statements at the grievance panel hearing.
- H. 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 grievances. The university 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 employee must consult with Human Resources about the need to use time from their position to handle grievance related matters.
- I. An employee who files a grievance has no right to representation at any step of the process. The employee will be given the right to call for witnesses if applicable.

IV. SUMMARY DISPOSITION:

At any time after the filing of a written grievance, the delegated Appointing Authority may dismiss the grievance on any of the following grounds:

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 university.
3. The person against whom the grievance is filed does not work for the university.
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 remedy requested cannot be granted by the university.
7. The delegated appointing authority has determined the grievance to be frivolous.
8. The grievance is being used to impede the efficient operations of the university.
9. The grievant did not appear for the grievance hearing.

The delegated appointing authority will consult with the Vice-President of Special Services and Equity to determine if a grievance should be dismissed. If a grievance is dismissed, the delegated Appointing Authority will notify the grievant and any supervisor or department head who received the grievance.