

STAFF EMPLOYEE GRIEVANCE AND APPEAL PROCESS

1. GENERAL

- a. Every regular full and part-time staff employee who has a work-related complaint shall have the opportunity to present a grievance in accordance with these procedures, free from restraint and reprisal. The following issues are not considered to be work-related complaints under this process: wages and salaries, classification actions, reduction in force (RIF), termination, performance evaluations, reassignment of job duties and responsibilities, and reorganization that does not result in loss of pay.
- b. The staff employee grievance and appeal process is not available to probationary and temporary/occasional staff employees absent allegations of discrimination.
- c. In an effort to promote a harmonious work environment for all employees, the University strives to resolve all grievances expeditiously.
- d. Reasonable time off shall be provided from regular duties as may be necessary for the presentation and processing of grievances and appeals without loss of pay, paid time off (PTO), or other time credits. Advance approval for the time spent away from the job must be obtained by the employee from the appropriate supervisor.
- e. Neither the grievant, nor the person against whom the grievance is directed, may be represented at any stage of the grievance process by an attorney.
- f. To address the sensitive nature of situations involving allegations of sexual harassment and to assure the speedy and confidential resolution of these issues, the University has established a separate informal counseling and mediation process for such issues in addition to this grievance process. Informal counseling and mediation may be utilized, but are not required to proceed to the formal grievance procedures. The informal counseling and mediation procedures are found in [Section II-3, Sexual Harassment Policy](#).

2. PROCEDURES

The time periods provided for conducting the grievance process as set forth herein may be extended by the Director of Human Resources or designee. Time periods shall exclude weekends and holidays. Failure to follow the established time guidelines may result in the grievance not being addressed, unless extenuating factors prevent timely filing of the grievance. Determinations regarding such factors will be made by the Director of Human Resources, whose decision shall be final.

Resolution of an employee grievance may include the following steps; however, a particular grievance may not require proceeding through every step.

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- a. Step I: Informal Process - Discussion Between Staff Employee and Immediate Supervisor
 - (1) A staff employee with a work-related complaint shall initially attempt to informally resolve the grievance with his or her immediate supervisor.
 - (2) The employee shall present the grievance verbally to his/her immediate supervisor within five (5) days of the event prompting the grievance. The supervisor should propose a resolution to the employee within ten (10) days of the discussion or as soon thereafter as is practical.
 - (3) If the employee believes the matter cannot be prudently discussed or resolved with the immediate supervisor, the employee should contact the Employee Relations Manager for assistance.
- b. Step II: Formal Process - Review by a Higher Level Supervisor
 - (1) If the grievance is not resolved at Step I, the employee may file a formal grievance with the Employee Relations Manager. The formal grievance must be in writing, signed by the employee and submitted to the Employee Relations Manager within five (5) days of receipt of the supervisor's proposed resolution of the grievance.
 - (2) The written grievance is to describe the work related complaint, including a concise statement of specific facts, and specify the remedy sought.
 - (3) Upon receipt of the written grievance, the Employee Relations Manager shall refer the grievance to an appropriate higher-level supervisor not previously involved in resolving the grievance.
 - (4) The employee will be provided with the decision from the higher-level supervisor within ten (10) working days from receipt of the written grievance, or as soon thereafter as practicable, with a copy to the employee's immediate supervisor and to the Employee Relations Manager.
- c. Step III: Appeal - Staff Grievance Committee
 - (1) If the grievance is not resolved at Step II, the employee may appeal the decision to the Staff Grievance Committee by submitting a written request for review to the Employee Relations Manager within five (5) days after receipt of the decision from the higher-level supervisor. The Employee Relations Manager will first determine whether the matter has validity as a grievance and should be subject to Committee review, or if another means of resolution would be more appropriate.

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- (2) The Staff Grievance Committee will consist of seven (7) members appointed by the President. One member will be designated as Chair in accordance with an adopted procedure.
- (3) The appealed grievance shall be heard by a three (3) member Hearing Panel selected from the Staff Grievance Committee by the Employee Relations Manager who shall also serve as advisor to the Panel.
- (4) Specific information regarding the filing of a grievance appeal, the appointment of the Hearing Panel, and the hearing process, can be obtained from the Employee Relations Manager or accessed from the Human Resources website at: www.wfu.edu/hr/emrel.htm.
- (5) At the conclusion of the hearing, the Hearing Panel shall deliberate and render its decision by simple majority vote regarding the proper resolution of the grievance.
- (6) If the person against whom the grievance is directed fails to attend the hearing without prior notification and good cause, the Hearing Panel may proceed with the hearing and take testimony and evidence, and reach a decision on the basis of such testimony and evidence. If the employee who filed the grievance fails to attend the hearing, the appeal of the grievance will be dismissed without a hearing and the resolution proposed at Step II shall take effect.

d. Step IV: Final Review

- (1) Any party may appeal the decision of the Hearing Panel to the Vice President for Finance and Administration (or, for grievances involving persons under the direct supervision of such Vice President, to another Vice President designated by the President) for final review. The appeal from the decision of the Hearing Panel should be in writing, directed to the Vice President, but delivered to the Employee Relations Manager within five (5) days of the Panel's decision.
- (2) The Vice President will review the decision of the Hearing Panel. Based upon such review and without conducting further hearings, the Vice President may affirm the Hearing Panel's decision with or without comment, or direct a different resolution of the grievance. All such actions by the Vice President are final.
- (3) Written notification of the resolution will be provided to the parties within ten (10) days of the appeal from the Hearing Panel's decision, or as soon thereafter as is practicable.
- (4) Details on the appointment procedure of the Staff Grievance Committee and the Hearing Panel selection process can be found on the Human Resources website at www.wfu.edu/hr/emrel.htm.

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*Drafted by the Director of Human Resources in consultation with the Legal Department,
October 26, 2001*

Approved by the President: November 1, 2001