



Southeastern Louisiana University

Employee Grievance Policy

Classified Employee Handbook
Part III. Policies Governing the Employment of Classified Employees
Section F. Employee Grievance Policy

Revised 8/15/05

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, they may use the Southeastern Louisiana University grievance procedure, which follows.

GRIEVANCE PROCEDURE

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, 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. The grievance form is to be used if the grievant is not satisfied with the decision of his/her immediate supervisor at the first step of the grievance procedure. The form will be completed at each subsequent step at which the appeal is made.

- PPR Reviews are handled by a different process than the classified grievance procedure. For more information on PPR Reviews see Chapter 10 of the Civil Service Rules, or contact the Human Resources Office at (985) 549-2056.
- Complaints about letters of warning, reprimand, or counseling are handled by written responses and not through the grievance process.
- 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.

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 the following 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; or to the department head if the supervisor had no part in the incident, and the employee has the right to have his/her Union Steward present with the employee at this meeting. If the grievance does not involve the immediate supervisor, proceed to Step Two. The supervisor will give an answer to the grievance within three (3) working days thereafter.

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 had no part in the incident, 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 department head.

The department head or budget unit head will then meet with the employee, and the employee's representative within 5 working days after receiving the grievance and will render a decision 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 and render a decision 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 and shall render a decision within five (5) working days thereafter. **This is the final step in the agency grievance procedure.**

What is appealable to the Director of Civil Service?

- An allocation or reallocation decision – Rule 5.3
- The rejection of an application – Rule 7.5
- A determination that an applicant lacks the minimum qualifications – Rule 7.5
- A Reviewer's decision concerning a PPR given to a permanent employee – Rule 10.14

What is appealable 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)

What is grievable to the agency?

Just about everything else! For example, the following types of complaints are grievable: 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. However, for many actions, the

difference between whether the action is appealable or grievable is WHY the employee is challenging the action or sometimes WHO the employee is. The following chart contains some examples:

AGENCY ACTION	REASON	GRIEVANCE vs APPEAL
Denial of Merit Increase	because of race	Appeal to Commission
	"unfair" attendance policy	Agency Grievance
Denial of Promotion	because of gender	Appeal to Commission
	person selected did not meet qualification requirements	Appeal to Commission
	employee believes he/she is better qualified	Agency Grievance
No overtime compensation	non-exempt employee	Appeal to Commission
	exempt employee	Agency Grievance
Suspension with pay	permanent employee	Appeal to Commission
	non-permanent employee	Agency Grievance

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.
- Grievances may be consolidated for the following reasons:
 - Multiple grievances filed by an employee that involve similar or related circumstances
 - Separate grievances filed by two or more employees regarding the same issues
- 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 grievant shall be given notice at least five (5) calendar days in advance of the hearing (Step 3), unless this is waived by the grievant.
- 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 on any of the following grounds:

- The action is appealable to the Director of Civil Service or to the Civil Service Commission.
- The grievant does not work for the agency.

- The person against whom the grievance is filed does not work for the agency.
- The grievance has not been made in the required manner or within the prescribed period.
- A decision on the grievance would be ineffective or moot.
- The remedy requested cannot be granted.
- The appointing authority has determined the grievance to be frivolous.
- The grievance is being used to impede the efficient operation of the agency.
- 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.

For more information regarding the grievance policy and procedure, contact the Human Resources Director at (985) 549-2001.

GRIEVANT'S SIGNATURE: _____

DECISION OF IMMEDIATE SUPERVISOR

If the grievance does not involve the immediate supervisor, the immediate supervisor will indicate that below and return the grievance form to the grievant. If the immediate supervisor is the department head, proceed to Step 2. The immediate supervisor will answer the grievance in writing within three (3) working days.

SUPERVISOR'S RESPONSE

SUPERVISOR'S SIGNATURE _____ DATE _____
DATE RECEIVED FROM SUPERVISOR _____ GRIEVANT'S INITIALS _____

If the grievant is not satisfied with the decision of the supervisor, the grievant may within five (5) working days of the receipt of such written decision submit the grievance to the department head.

GRIEVANT'S RESPONSE (Please initial by the appropriate response.)

_____ I am satisfied with the answer to my grievance.
_____ I am not satisfied with the answer to my grievance and wish to have it referred to the next step.

GRIEVANT'S SIGNATURE _____ DATE _____

