OFFICE OF THE CHANCELLOR LOUISIANA STATE UNIVERSITY AT ALEXANDRIA

PS 278 Page 1 of 3 Effective: July 1, 2016

SUBJECT: GRIEVANCE PROCEDURE

PURPOSE:

To establish a procedure for the resolution of grievances for professional employees, those employees designated as "other academic" and classified employees.

DEFINITIONS:

Classified Employee: those employees covered by the provisions of the State Civil Service guidelines. Also referred to as "Civil Service" employees.

Professional Employee: refers to administrative officers and professional staff as well as all employees exempt from the classified service. Employees in this category are sometimes referred to as "unclassified".

GENERAL POLICY

A professional, other academic or classified employee who is seeking a solution concerning issues arising from working conditions, employment practices, and interpretation of policy and/or procedure may file a grievance pursuant to this policy statement. This policy does not apply to faculty. Employees who feel they are being discriminated against because of race, color, sex, ethnic origin, religion, age, creed, marital status, veterans' status, disability or sexual orientation also have a right to file a complaint in accordance with the Policy Statement on Affirmative Action and Equal Employment Opportunity (PS 222) or Sexual Harassment (PS 224). Any University official receiving a grievance alleging discrimination shall refer the matter to the Office of Human Resource Management (HRM). Should an employee file a grievance alleging discrimination pursuant to this policy statement and a complaint with HRM, or if the complaint is received by HRM, the matters will be consolidated for review by HRM. Such complaints will initially be reviewed at this policy statement's Step 2 Level and in accordance with PS 222.

While the University recognizes the employee's right to file a grievance, the employee is strongly encouraged to discuss his/her concerns with the immediate supervisor and/or department head before filing a grievance. Many issues can be resolved informally at the supervisory level without the need for a formal grievance.

ISSUES WHICH ARE NOT GRIEVABLE

The following actions are not grievable under this policy:

- 1. Termination, non-renewal of contract or appointment or layoff.
- 2. Actions within the exclusive jurisdiction of the State Civil Service Commission such as actions which impact pay, or pay issues, suspension with or without pay, reduction in pay, denial of merit increase, demotion, or position classification.
- 3. Disciplinary action.

- 4. Performance evaluations (Unclassified and Classified may submit a rebuttal to HRM).
- 5. Non-selection for a position.

STEPS IN THE GRIEVANCE PROCEDURE

Step 1: The employee must present the written grievance to his/her supervisor or department chair/director within five (5) working days of the date of the alleged grieveable act. Any complaint alleging discrimination shall be referred to HRM for review in accordance with this policy statement. The department chair/director may meet with the employee and shall provide a written response in five (5) working days after receipt of the grievance.

If the grievance involves the employee's department chair/director, and the employee does not feel comfortable presenting the written grievance to the department chair/director, the employee may begin Step 1 by contacting HRM. HRM may then delegate Step 1 to the most appropriate Vice Chancellor or administrator.

Step 2: If the employee is not satisfied with the decision at Step 1 of the grievance procedure, the employee may appeal in writing to HRM within five (5) working days after the receipt of the response from the supervisor. The second step appeal must state why the employee disagrees with or rejects the Step 1 decision and the supervisor shall be provided a copy of this appeal.

The HRM representative will contact the employee as soon as possible, but no later than seven (7) working days, after receipt of the appeal, to schedule an investigation of the grievance, which may include a hearing.

The HRM representative will notify the grievant and his/her supervisor of her/his decision in writing within five (5) working days following the date of the hearing. A grievance alleging discrimination will be reviewed pursuant to PS 222 and/or PS 224.

Step 3: If the employee is not satisfied with the decision at Step 2 of the grievance procedure, the grievant may appeal in writing to the Office of the Chancellor within five (5) working days after receipt of the HRM decision. The Step 3 appeal must include the reasons why the employee disagrees with the Step 2 decision.

After reviewing the grievance file, the Chancellor or his/her designee shall, within ten (10) working days after receipt of the appeal decide the appeal. Written notice of the decision will be given to the employee, HRM, and the supervisor.

FORM

Copies of the official form are available from HRM.

TIME LIMITS

Time limits set out in this policy should be followed. Failure to adhere to the time limits shall result in the employee waiving all rights, under the grievance procedure for the issue(s) raised in the grievance. Failure of the supervisor or HRM to adhere to the time limits or provide notice in writing of additional time needed to respond to the employee will authorize the grievant to move to the next step of the grievance procedure. However, the time limits described in this policy may be suspended, extended, or altered by the Chancellor or his/her designee.

EMPLOYEE ADVISOR

Employees shall have the right to have an LSUA advisor of their choice present at each step of the grievance procedure. However, legal counsel will not be allowed to be present in any required meetings or hearings. The advisor selected to represent the employee, shall, at such times as approved by the advisor's supervisor, be granted the necessary time off without loss of pay and without charge to annual or compensatory pay during work hours to represent that grievant. However, the time needed by the grievant and/or his/her advisor to prepare for any step of the grievance should be done on the employee's time off or while in work status with supervisory approval.

RETALIATION

No employee is to take reprisal action against an employee who uses the grievance procedure, serves as an advisor, or participates in any way (e.g. witness) in the grievance process. Any employee violating this prohibition against retaliation may be subject to disciplinary action, up to and including, termination. Additionally, no LSUA official may use his/her position to attempt to improperly influence the grievance process.

SUMMARY DISPOSITION OF A GRIEVANCE

A grievance which does not present a grievable issue or which is subject to summary disposition pursuant to Civil Service Guidelines, or which is untimely may be summarily dismissed. A request for summary dismissal must be approved by the Chancellor or his/her designee. All parties to the grievance will be notified in writing.

PRE-GRIEVANCE COUNSELING

If you need assistance, please contact the HRM office at 473-6401 located in Coughlin Hall. Coordination with HRM will ensure that you are properly administering the grievance procedure.

ARROVED: _____

G. Daniel Howard____

7/1/2016____ Date

G. Daniel Howard Chancellor