



**STAFF EMPLOYMENT MANUAL**

**Title: 6.0 Employee Relations**

**Chapter: 6.09 Grievances**

**Issuance Status and Effective Date: March 2013**

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**1. General Policy**

- a. Inequitable or discriminatory situations which adversely affect employment status, the employee's general welfare or their ability to perform work need to be brought to light. It is the policy of the University to encourage the airing of employee dissatisfactions so problems can be resolved as quickly as possible, either informally or, at the discretion of the employee, as a formal grievance. No matter which avenue a staff member chooses, either taking a complaint by discussions up through the ranks or by filing a written grievance, there shall be no reprisal against that staff member.
- b. Supervisors are charged with the responsibility of maintaining an open door to employee complaints, resolving them according to their merit and cooperating with the grievance procedure in cases of formal complaints.
- c. A grievance will be deemed to have merit when it is apparent that the employee has been denied treatment or benefit that can commonly and rightly be expected in the course of one's employment at the University. Incidents that are not raised within 30 work days of the time the employee knew, or reasonably should have known, of the event or condition giving rise to it are not considered under this procedure.
- d. Grievances involving sexual harassment are specifically covered under **6.14, Sexual Harassment Prevention**.
- e. When a grievance is determined to be valid, an equitable and practical remedy will be offered.
- f. Retaliatory action of any kind taken by an employee of the University of Hartford against any other employee of the University of Hartford as a result of that person's seeking redress under these procedures or participating in any proceedings under these procedures is prohibited and may result in disciplinary action, up to and including termination of employment.
- g. In the event that it is determined that a grievance was not brought in good faith but was intended in a capricious or malicious manner, the complainant may be subject to disciplinary action, up to and including termination of employment.
- h. An employee will not be eligible for the grievance process if terminated during orientation status.
- i. Second or third party grievances will not be heard under this procedure.

**2. Procedure**

When a staff member wishes to pursue a formal complaint under this procedure, he/she may do so by taking the steps described below.

The non-union staff member (provided he/she is an active member of the Staff Association) may request assistance from the University of Hartford Staff Association in composing the statement of grievance and preparing appeals. A designee of the Staff Association, who is also a staff member, may attend meetings

at Step Three and Step Four of the procedure as an observer, but not a participant, if requested by either the grievant or the University.

a. **Step One: Immediate Supervisor or Department Head**

When informal efforts fail to produce a settlement and the staff member wishes to pursue the grievance further, he/she may do so by filing a written grievance on the grievance form, available on the HRD website at [www.hartford.edu/hrd](http://www.hartford.edu/hrd).

The written grievance is presented to the immediate supervisor, or the department head if serving as the immediate supervisor. A meeting will be arranged between the supervisor and the staff member to discuss the grievance as fully and openly as possible. Supervisors are expected to make every reasonable effort to discuss and resolve the issue at this step. After the meeting, the supervisor will respond to the grievance in writing with his/her disposition and attach this disposition to the grievance form.

The staff member may either accept the immediate supervisor's disposition, or appeal to **Step Two**.

b. **Step Two: Department Head (when not serving as immediate supervisor in Step One.)**

If an employee wishes to appeal to **Step Two**, he/she must present all documentation from **Step One** to the department head. A meeting will be arranged between the department head or designee to discuss the grievance further. After the meeting, the department head or designee will respond to the grievance in writing with his/her disposition and attach this disposition to the grievance form.

The staff member may either accept the department head or designee's disposition, or appeal to **Step Three**.

c. **Step Three: Executive Director of HRD or Designee**

If an employee wishes to appeal to **Step Three**, he/she must present all documentation from **Steps One and Two** to the Executive Director of HRD or designee. A meeting will be arranged with the Executive Director of HRD or designee to discuss the grievance further. This meeting may be recorded. The Executive Director of HRD or designee may invite others to the meeting for their possible contributions to settlement of the matter. After the meeting, the Executive Director of HRD or designee will respond to the grievance in writing with his/her disposition and attach this disposition to the grievance form.

The staff member may either accept the Executive Director of HRD or designee's disposition, or appeal to **Step Four**.

Suspension and dismissal grievances are presented directly to **Step Three** for staff who are not in orientation status.

d. **Step Four: President's Review Panel**

If an employee wishes to appeal to **Step Four**, he/she must make the request to the Executive Director of HRD or designee. The President will maintain a panel of at least six individuals, from which the staff member may select one Review Officer to review the grievance. HRD will coordinate this process. A meeting will be arranged between the staff member and the Review Officer to review the grievance and discuss the issues. The Review Officer may invite others to the meeting for their possible contributions to settlement of the matter. After the meeting, the Review Officer will present a final report of the grievance to the President, with a recommendation for disposition. The President will either endorse the recommendation, or make an alternative disposition, which may include an option for binding arbitration. The entire grievance package must then be returned to the Executive Director of HRD or designee, who will then communicate the final decision to the grievant, and notify the Review Officer of the President's decision.

e. **Time Scheduling for Processing Grievances**

- Staff member must file a grievance no more than 30 work days from the date that the staff member knew or reasonably should have known about the incident giving rise to the grievance.
- Immediate supervisor arranges a meeting with staff member within five work days of the date the grievance was filed.
- Immediate supervisor must respond in writing to the grievance within five work days of the meeting.
- If resolution is not satisfactory to staff member, he/she has five work days to appeal to the department head.
- Department head or designee arranges a meeting with staff member within five work days of receipt of the appeal.
- Department head or designee must respond in writing to the grievance within five work days of the meeting.
- If resolution is not satisfactory to staff member, he/she has five work days to appeal to the Executive Director of HRD.
- Executive Director of HRD or designee arranges a meeting with staff member within seven work days of receipt of the appeal.
- Executive Director of HRD or designee must respond in writing to the grievance within seven work days of the meeting.
- If resolution is not satisfactory to staff member, he/she has 15 work days to appeal to the President's Review Panel.
- Once a representative from the President's Review Panel is selected, he/she must schedule a meeting with the staff member within 15 work days.
- Representative from the President's Review Panel must respond in writing to the President with recommendation regarding the grievance within 15 work days of the meeting.
- The President either endorses or issues an alternative response to the grievant within 15 work days. The resolve is forwarded to HRD for appropriate distribution.

These times may be extended by mutual agreement. Any appeal not taken within the specified time limits will indicate acceptance by the staff member of the disposition rendered at that step of the procedure.

f. **Management Rights**

Any settlement of a grievance affecting terms and/or conditions of employment does not prevent the University from making future changes in terms and/or conditions of employment at its discretion, nor does it imply that there has been any forfeiture of the University's absolute right to manage its affairs within appropriate legal constraints.

**3. Suspension and/or Dismissal**

Grievances concerning a suspension and/or dismissal may be presented only to **Step Three** of the procedure. HRD will have 10 work days to schedule a meeting. Following the meeting, HRD will have 10 work days to respond in writing to the grievance. **Step Four** is not available if the action is suspension and/or dismissal.

**4. Sexual Harassment or Discrimination Grievances**

Any person can also contact the Regional Director, Office of Civil Rights, U.S. Department of Education, 550 12<sup>th</sup> Street SW, Washington, DC 20202-1100 regarding the University's compliance with regulations implementing Title VI, Title IX and Section 504. The Commission on Human Rights and Opportunities (CHRO), 999 Asylum Avenue, Hartford, CT 06105 can also be contacted. Filing with the latter must be within 180 days of the date when the alleged incident occurred.