Grievance Policy and Procedures

Policy Statement

When any staff member thinks or feels that any condition of his or her employment affects him/her unjustly, inequitably, causes a hindrance to effective operation or creates a problem, this grievance procedure is applicable. Employees who have lost pay or employment because of disciplinary action may begin the procedure at the third step. Employees must be able to use this system without fear of recrimination. However, no employee may disregard the directions of a supervisor pending the outcome of a grievance. The procedure is to follow directions and grieve later. An employee has five business days from first knowledge of a situation to begin the process. All meetings will normally be scheduled during the employees working hours. Specifically excluded from the procedure are the following:

- Disputes that are being or have been processed in the courts.
- Disputes involving compliance with State or Federal statutes or regulations, where other forums exist to process grievances.
- Disputes which involve merit pay or salary increments.
- Any compliant of discrimination (on the basis of age, race, color, region, sex, sexual orientation, veteran status, disability or national origin) which should be submitted to the Director of the Equal Opportunity Office.

Entities Affected by the Policy

All EKU staff
All EKU Supervisors
All Directors, Chairs
University Vice Presidents

Policy Background

Not applicable.
Policy Procedures

Step I

The employee should bring the situation, including relief sought, to the attention of the immediate supervisor within five (5) working days of first knowledge of the situation. The employee shall write out the grievance on a step I grievance report form. The supervisor shall return an answer, in writing, within three (3) working days. If the supervisor’s answer does not resolve the situation to the employee’s satisfaction, the employee may proceed to Step II.

Step II

The employee shall write out the grievance on a second step grievance report form (available from the Director of Human Resources) including a statement of the problem and desired relief and submit it to the next higher level of supervision within three (3) working days of the immediate supervisors' response. The secondary supervisor shall schedule a meeting of the supervisor and the grievant, who may be accompanied by a representative of his/her choice and answer the complaint within three (3) working days from receipt of the grievance report form. (Note: An employee representative must be a member of the University community, defined as current faculty staff or student.) A copy of the secondary supervisor’s answer shall be submitted to the Director of Human Resources. If the employee is dissatisfied with the answer, they may proceed to Step III.

Step III

The employee shall write out the grievance on a third step grievance report form (available from the Director of Human Resources) and submit it within three (3) working days to the appropriate Vice President. The Vice President shall arrange within five (5) working days a meeting with the Human Resources Director, the employee and representative, and appropriate supervisors and return an answer in writing. A copy of the Vice President’s response shall be submitted to the Director of Human Resources. If the Vice President’s response is unsatisfactory to the employee they may proceed to Step IV.

Note: An employee representative must be a member of the University community, defined as current faculty, staff or student.

Step IV

The employee shall write out the grievance on a fourth step grievance report form (available from the Director of Human Resources) and submit it within three (3) working days from receipt of the Step III answer to the Director of Human Resources. The Director of Human Resources shall present the employee with a list of potential arbitrators.

Eastern Kentucky University has several faculty members with extensive knowledge and experience with the arbitration/mediation process and the list will be comprised of these individuals from which the employee must choose one. The arbitrator shall schedule a hearing within fifteen (1) working days to include the employee and representative and appropriate management personnel for the purpose of determining the facts. Within five (5) working days after the hearing the arbitrator shall present an advisory opinion to the President of the University. The President will, in turn, present a final and binding answer to the employee within five (5) working days with copies to all parties.
Note: an employee representative must be a member of the University community, defined as current faculty, staff or student.

Time limits at any step in the Grievance Procedure may be extended by mutual agreement of the grievant and the individual responsible for administering that step of the process.

**Definitions**

**Grievance**  
An actual or supposed circumstance regarded as just cause for complaint.

**Responsibilities**

**Employee**  
Responsible for filing their grievance within five days from first knowledge of a situation.  
Employee is also responsible for notifying appropriate parties (Director Human Resources) of their desire to move the grievance forward at end of each step of the process.

**Director of Human Resources**  
Responsible for coordinating the grievance process and to provide advice and counsel to all parties.

**Supervisors, Directors/Chairs and Vice Presidents**  
Responsible for hearing and responding to the grievance at each step and as outlined within this policy.

**Violations of the Policy**

N/A

**Interpreting Authority**

Director of Human Resources
Not applicable.

Grievance Form

Approved by the EKU Board of Regents on February 1, 1992 and on August 1, 2002 as part of the Staff Handbook.