

1 **Dispute Resolution - P&S**

2 Effective: Moved to Policy Library from P&S Handbook Chapter 3

3 Updated/Revised: December 1, 2013

4 Contact: [University Human Resources \(UHR\)](#)

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14 **Introduction**

15 The university encourages and supports a civil workplace, and honest and respectful communication between
16 employees and supervisors in order to avoid conflict and resolve disputes when they occur. Likewise, the
17 university is committed to offering employees options--both informal and formal--to appropriately resolve
18 disputes.

19 **Policy Statement**

20 A Professional and Scientific (P&S) employee involved in a dispute has several options to consider in order to
21 resolve the conflict. The two main options are:

- 22
- 23 • Informal Resolution – The individuals work together to attempt a mutually acceptable outcome.
 - 24 • Formal Resolution – An employee files a written grievance and goes through the grievance process.
Specified decision makers decide the outcome.

25 To invoke either option, the employee shall be prepared to clearly identify the dispute, the related policies in
26 question, and a desired resolution.

27 **Informal Resolution**

28 The university encourages informal resolution of disputes because doing so usually preserves ongoing, working
29 relationships and saves resources. Employees who wish to attempt informal resolution may utilize any of the
30 following resources to seek additional information and assistance, or referral:

- 31
- 32 • Supervisor/administrator in the chain of command
 - 33 • Ombuds Office
 - 34 • Professional and Scientific (P&S) Peer Advisory Committee
 - 35 • Employee and Labor Relations Office, University Human Resources

36 Although the informal resolution option is encouraged, it is not mandatory. Employees may proceed directly to
formal resolution if eligible based upon the circumstances (see below).

37 **Formal Resolution (Grievance/Appeal)**

38 Formal resolution of a dispute involves the filing of a written grievance. The grieving party may pursue various
39 levels of appeal if not satisfied with the decision at each level. The exact steps in the process, as well as the
40 forms to be used and deadlines to be met are described in the P&S Dispute Resolution Guidance and
41 Procedures.

42 A P&S employee may file a formal grievance under this policy if:

- 43 • Discipline has been imposed; or
- 44 • A policy or procedure has allegedly been violated; or
- 45 • A supervisor's actions or statements have resulted or may result in severe professional harm (i.e.,
46 statements proven false that damage an employee's reputation or ability to carry out responsibilities).

47 A P&S employee may not use the formal dispute resolution option under this policy if:

- 48 • Another policy applies (See "Disputes Excluded Under this Policy" below), or
- 49 • By policy or the employee's employment documentation (e.g., a contract), the employee is designated
50 as "at-will"

51 Formal grievances are separated into two categories to facilitate processing:

- 52 • **Employment and Working Conditions:** These types of grievances relate to the application of policies
53 or procedures found in the University's Policy Library (Personnel and Human Relations section). For
54 grievances regarding employment and working conditions, an employee must file a formal grievance
55 within thirty (30) calendar days of becoming aware of the adverse action.
- 56 • **Loss of Compensation/Loss of Job:** These grievances relate to discharge, demotion, request for
57 repayment, suspension without pay, etc. This type of grievance is reserved for the loss of current or
58 established compensation or job. For grievances regarding loss of job or compensation an employee
59 must file a formal grievance within ten (10) working days. Grievances regarding loss of compensation
60 or job are expedited through the process due to the significant consequence to the employee.

61 The grievant may not adjust or change the grievance (i.e., dispute, remedy) once the grievance form has been
62 submitted. Multiple grievances arising out of the same set of circumstances may be consolidated into a single
63 grievance.

64 In cases where there are repeated concerns emanating from the same unit, in order to more quickly address
65 employee concerns and conserve university resources, the Associate Vice President for Human Resources [in
66 consultation with the respective Senior Vice President or the President (or his/her designee)] has the authority to
67 alter (pause or expedite) the formal grievance process.

68 **Disputes Excluded from Formal Grievances**

69 Certain types of workplace disputes are excluded from the formal resolution option and shall be addressed
70 informally through department or other resources, as indicated:

- 71 • Annual salary increases – employee's supervisor
- 72 • Disputes outside the employee's chain of command - supervisor with authority over the person creating
73 the concern
- 74 • Disputes among peers or co-workers in the same unit - unit supervisor
- 75 • Disputes about adoption or implementation of university policy or rules - Ombuds Office
- 76 • Other disputes outside the scope of policy or procedures found in the Policy Library - unit supervisor

77 **Disputes Excluded Under this Policy**

78 Certain types of disputes are to be addressed through separate, existing policies (see policy links in Resources
79 below):

- 80 • Discrimination or harassment complaints based on protected group membership or status (see policy:
81 Discrimination and Harassment)
- 82 • Complaints about sexual misconduct involving a student (see policy: Sexual Misconduct, Sexual
83 Assault, and Sexual Harassment Involving Students)
- 84 • Reclassification appeals (see policy: Reclassification - P&S)
- 85 • Summary Dismissal appeals (see policy: Summary Dismissal - P&S)
- 86 • Concerns about Research Misconduct (see policy: Research Misconduct)
- 87 • Concerns about dismissal related to workforce reorganization (see policy: Workforce Reorganization -
88 P&S)

89 **Non-Retaliation and Non-Discrimination**

90 Use of either an informal or formal process to resolve disputes will not result in retaliation or other adverse
91 action. The university prohibits retaliation against an employee who uses or participates in the complaint or
92 grievance process. This policy will also be applied and administered in a manner consistent with the university's
93 equal opportunity and affirmative action programs and policies.

94 **Resources**

95 **Links**

- 96 • [Employee/Labor Relations Office](#)
- 97 • [University Human Resources \(UHR\)](#)
- 98 • [Office of Equal Opportunity \(OEO\)](#)
- 99 • [Ombuds Office](#)
- 100 • [Professional and Scientific Peer Advisory Committee](#)
- 101 • [Policy: Affirmative Action](#)
- 102 • [Policy: Discrimination and Harassment](#)
- 103 • [Policy: Non-Retaliation Against Persons Reporting Misconduct](#)
- 104 • [Policy: Reclassification, Professional and Scientific](#)
- 105 • [Policy: Research Misconduct](#)
- 106 • [Policy: Sexual Misconduct, Sexual Assault, and Sexual Harassment Involving Students](#)
- 107 • [Policy: Summary Dismissal, Professional and Scientific](#)
- 108 • [Policy: Workforce Reorganization, Professional and Scientific](#)

109 **Files**

- 110 • [Dispute Resolution Guidance and Procedures, Professional and Scientific](#)
- 111 • [Form: Grievance-Employment or Working Conditions PS 2013-12-01](#)
- 112 • [Form: Grievance-Loss of Compensation or Job PS 2013-12-01](#)

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