

Dispute Resolution - P&S

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Introduction

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

Policy Statement

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

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

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

Informal Resolution

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

- Supervisor/administrator in the chain of command
- Ombuds office
- Professional and scientific (P&S) peer advisory committee
- Employee and labor relations office, University Human Resources

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).

Formal Resolution (Grievance/Appeal)

Formal resolution of a dispute involves the filing of a written grievance. The grieving party may pursue various levels of appeal if not satisfied with the decision at each level. The exact steps in the

process, as well as the forms to be used and deadlines to be met are described in the P&S dispute resolution guidance and procedures.

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

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

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

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

Formal grievances are separated into two categories to facilitate processing:

- **Employment and Working Conditions:** These types of grievances relate to the application of policies or procedures found in the university's policy library (personnel and human relations category). For grievances regarding employment and working conditions, an employee must file a formal grievance within thirty (30) calendar days of becoming aware of the adverse action.
- **Loss of Compensation/Loss of Job:** These grievances relate to discharge, demotion, request for repayment, suspension without pay, etc. This type of grievance is reserved for the loss of current or established compensation or job. For grievances regarding loss of job or compensation an employee must file a formal grievance within ten (10) working days. Grievances regarding loss of compensation or job are expedited through the process due to the significant consequence to the employee.

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

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

Disputes Excluded from Formal Grievances

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

- Annual salary increases – employee's supervisor
- Disputes outside the employee's chain of command - supervisor with authority over the person creating the concern
- Disputes among peers or co-workers in the same unit - unit supervisor
- Disputes about adoption or implementation of university policy or rules - Ombuds office
- Other disputes outside the scope of policy or procedures found in the policy library - unit supervisor

Disputes Excluded Under this Policy

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

- Discrimination or harassment complaints based on protected group membership or status (see policy: discrimination and harassment)
- Complaints about sexual misconduct involving a student (see policy: sexual misconduct, sexual assault, and sexual harassment involving students)
- Reclassification appeals (see policy: reclassification - P&S)
- Summary Dismissal appeals (see policy: summary dismissal - P&S)
- Concerns about Research Misconduct (see policy: research misconduct)
- Concerns about dismissal related to workforce reorganization (see policy: workforce reorganization - P&S)

Non-Retaliation and Non-Discrimination

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

Resources

Links

- [Employee Management](#)
- [University Human Resources \(UHR\)](#)
- [Office of Equal Opportunity \(OEO\)](#)
- [Ombuds Office](#)
- [Professional and Scientific Peer Advocacy Committee](#)
- [Policy: Affirmative Action](#)
- [Policy: Discrimination and Harassment](#)
- [Policy: Non-Retaliation Against Persons Reporting Misconduct](#)
- [Policy: Reclassification, Professional and Scientific](#)
- [Policy: Research Misconduct](#)
- [Policy: Sexual Misconduct, Sexual Assault, and Sexual Harassment Involving Students](#)
- [Policy: Summary Dismissal, Professional and Scientific](#)
- [Policy: Workforce Reorganization, Professional and Scientific](#)

Files

- [Form: Grievance-Employment or Working Conditions PS 2013-12-01 \[PDF\]](#)
- [Form: Grievance-Loss of Compensation or Job PS 2025-01 \[PDF\]](#)
- [P&S Dispute Resolution Guidance & Procedures \[PDF\]](#)