

POLICY STATEMENT

NO. 3.03.01

Coordinated By: Business Affairs

Effective: October 25, 1978

Revised: March 1, 2020

Subject: Grievance Procedures for Classified and Unclassified Staff

I. PURPOSE

This Policy Statement establishes procedures for the resolution of grievances of classified and unclassified staff.

II. DEFINITIONS

A. Classified Staff: Those employees governed by provisions of the Louisiana State Civil Service.

B. Unclassified Staff: Administrative officers and professional staff.

III. GENERAL

In any organization, dissatisfaction and misunderstanding may arise among employees. Ideally, employee problems should be resolved at the lowest possible supervisory level and in a timely manner. The staff grievance process is one means of addressing employee complaints and it is the right of every active employee to utilize the grievance process. This procedure is a method of determining the specific cause for a grievance and finding the best resolution. This process is not intended to replace the right of classified employees to appeal discipline or Performance Evaluation decisions.

While the university recognizes the employee's right to file a formal grievance, the employee is strongly encouraged to discuss concerns with the chain of command to resolve the grievance informally.

IV. RESPONSIBILITIES

A. Director Human Resource Management: The Director of HRM has overall responsibility for administration of the grievance process per Civil Service Rule 3.1 and to ensure that all employees are aware of the process and how to access it. The Director HRM serves as the final agency hearing officer and issues the final decision on all grievances. A record of all grievances will be maintained in the Office of Human Resource Management.

B. Supervisors: Supervisors at all levels are encouraged to informally resolve employee issues and problems. If this is not possible, supervisors are required to execute the grievance process in accordance with this policy.

V. NON GRIEVABLE ISSUES

The following actions are not grievable under this policy:

- A. Termination, non-renewal of contract/appointment or layoff.
- B. Actions within the exclusive jurisdiction of the State Civil Service Commission including but not limited to actions impacting pay, pay issues, suspension with/without pay, reduction in pay, denial of market increase, demotion, or position classification.
- C. Disciplinary Actions
- D. Performance evaluations. Classified and unclassified staff may appeal their performance rating in accordance with Civil Service Rules and university policy. Complaints about letters of warning, reprimand, or counseling are handled by written response and not through the grievance process.
- E. Non selection for a position.

VI. STEPS IN THE GRIEVANCE PROCESS

STEP 1: Within 14 days of the alleged grievable act, the employee must come to Human Resource Management to complete the LSUS Grievance Form. Within 2 working days, HRM will provide the Grievance Form to the appropriate supervisor. Within 5 working days of receipt of the Grievance Form, the supervisor will propose a resolution, notify the employee of the proposed resolution, complete the Grievance Form and return it to HRM who will provide a copy to the employee.

STEP 2: If the employee is not satisfied with the proposed resolution in Step 1, the employee must complete Step 2 of the Grievance Form and return the Grievance Form to HRM within 5 working days of initial receipt of the Grievance Form from HRM. Within two working days of receipt of the Grievance Form, HRM will forward it to the Department/Unit Head who will uphold the proposed resolution of the immediate supervisor or propose an alternate resolution. The Department/Unit Head must notify the employee of his decision, provide a copy of the Grievance Form to the employee, and return the completed Grievance Form to HRM within 5 working days.

STEP 3: If the employee is not satisfied with the resolution proposed by the Department/Unit Head, the employee may appeal in writing to the Office of the Chancellor by completing Step 3 of the Grievance Form and submitting it to HRM within 5 working days after being notified of the proposed resolution of the Department/Unit Head. After reviewing the Grievance Form, the Chancellor will direct a hearing chaired by the Director of HRM who will appoint other members of the committee as needed. The employee will be given 7 days' notice of this hearing. Upon conclusion of the Hearing, the Director of HRM will present findings and recommendations to the Chancellor who, as Appointing Authority will make the final decision on the grievance. The employee will be provided written notice of this decision within 5 working days.

VII. TIME LIMITS

- A.** Time limits established in this policy should be followed. Failure by the employee to adhere to time limits without appropriate justification may result in the employee waiving all rights under the grievance procedure for the issue(s) raised in the grievance. Failure by the university chain of command to follow established time limits or provide written notice that additional time is needed to respond to the employee will authorize the grievant to move to the next step of the procedure.
- B.** With appropriate justification, time limits in this policy may be suspended, extended, or altered by the Chancellor or his/her designee.

VIII. EMPLOYEE ADVISOR

- A.** Employees have the right to have a LSUS advisor of their choice present at each step of the grievance process. However, legal counsel will not be allowed to be present in any required meetings or hearings. The chosen advisor does not represent the employee, may not speak on behalf of the employee, and performs only in an advisory role with the employee.
- B.** The advisor shall, at such times as approved by the advisor's supervisor, be granted the necessary paid time off to represent the grievant. This paid time off will not be charged to the advisors accrued leave. However, the time needed by the grievant and/or advisor to prepare for any step of the grievance should be done in the grievant's/advisors time off unless approved by the supervisor.

IX. RETALIATION

- A.** No employee will take reprisal action against an employee who uses the grievance policy, 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.

B. No LSUS official may use his/her position to attempt to improperly influence the grievance process.

X. SUMMARY DISPOSITION OF A GRIEVANCE

A. 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 dismissed.

B. A request for summary dismissal must be approved by the Chancellor of his/her designated representative. All parties to the grievance will be notified in writing of this decision.

XI. PRE-GRIEVANCE COUNSELING

A. The LSUS Office of Human Resource Management may be contacted for information and counseling on the grievance process.

B. The LSUS Grievance Form is available at <http://www.lsus.edu/offices-and-services/human-resource-management/forms/grievance-form>

APPROVED



Lawrence Clark, Chancellor/Appointing Authority



Date