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| Policy: Staff Grievance | Policy No: I-6.3 |
| Policy Owner(s): Human Resources | Original Date: 4/1/2016 |
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- I. **POLICY:** John Carroll University (JCU) provides staff employees an internal process to grieve employment-related issues defined in this policy. Employees who feel that they have a legitimate grievance concerning a matter related to their own employment may use this procedure.

- II. **PURPOSE:** To provide an effective method for resolving disputes and accomplishing solutions to job-related issues.

- III. **SCOPE:** All staff employees of John Carroll University.

- IV. **DEFINITIONS:**

Staff Grievance Review Committee (“Committee”): A committee consisting of three (3) staff members who are selected by Human Resources from a pool of staff members nominated by the Vice Presidents of each division within the University.

Grievance Form: The specific form used by the John Carroll University Human Resources Department to process a staff grievance.

- V. **PROCEDURES:**
 - A. **First Step:** Initial Resolution Process by Direct Supervisor
 1. Within ten (10) business days of the incident giving rise to the grievance, employees who wish to file a grievance must submit to their immediate supervisor the written Grievance Form. The employee filing a grievance must also submit a copy of the completed Grievance Form to Human Resources.

 2. The grievance includes the alleged violation or misapplication of policy or procedure, or alleged act(s) of discrimination and the basis for the alleged discrimination; a brief statement of relevant facts; and the remedy requested.

 3. The supervisor will schedule a meeting with the employee filing the grievance as promptly as possible but generally within five (5)

business days after receipt of the written grievance to attempt to resolve the grievance.

4. The supervisor may meet with others as needed. The supervisor will respond to the grievance and indicate any proposed resolution in writing on the Grievance Form within a reasonable time but generally within five (5) business days after the meeting.
5. If the supervisor is the subject of the grievance, the employee should submit the Grievance Form to the next-level supervisor or department head under the Second Step of the grievance process.

B. Second Step: Further Resolution Process

1. Within five (5) business days after receipt of the Step One response, if the employee disagrees with the response given to the grievance, the employee may make a written request on the Grievance Form for further consideration of the issue by the next level supervisor or department head, as appropriate.
2. The next level supervisor or department head will schedule a meeting with the employee as promptly as possible but generally within five (5) business days after the request is made to attempt to resolve the grievance.
3. The next level supervisor or department head may meet with others as needed. The next level supervisor or department head will respond to the grievance and indicate any proposed resolution in writing within a reasonable period of time or generally within five (5) business days after the meeting with the employee.

C. Third Step: Grievance Review Process (Grievance Review Committee)

1. Within five (5) business days after receipt of the Second Step response, if the employee still disagrees with the response given to the grievance, the employee may appeal by presenting the Grievance Form to Human Resources. The request must be made on the Grievance Form and should be accompanied by all documentation previously submitted by the employee.
2. Human Resources will facilitate the selection of a Staff Grievance Review Committee to review the grievance. Human Resources will make inquiries of the employee(s) involved and the committee members prior to the review process to determine if any committee members have a conflict of interest in relation to the specific individuals involved in the grievance. If it is determined that a conflict of interest exists, Human Resources may remove the committee

member and replace that individual with another committee member.

3. The Staff Grievance Review Committee's assessment will generally consist of a review of the grievance file and other relevant information. The Committee's review will be limited to issues within the scope of the written grievance file. Human Resources will compile the grievance file and other relevant information for the Committee, as well as applicable University policies related to the grievance.
4. The Committee generally meets with the employee filing the grievance and with the employee who the grievance is against or the appropriate representative who is most able to respond to the grievance. A meeting with the employee and the Committee will be scheduled as soon as administratively feasible but generally within thirty (30) calendar days after the written appeal is submitted and all supporting documentation is provided to the Committee.
5. Within fifteen (15) calendar days after the Staff Grievance Review Committee meeting, the Committee will determine whether a policy violation occurred and make a written recommendation on the Grievance Form regarding the disposition of the grievance and any appropriate action to be taken. The written recommendation shall be forwarded to the Executive Vice President and Chief Financial Officer or designee for final decision.
6. Within fifteen (15) calendar days after receipt of the written recommendation, the Executive Vice President and Chief Financial Officer or designee, in consultation with the Assistant Vice President for Human Resources, shall render a final decision in writing as to the grievance, as well as any appropriate actions. This decision shall be conveyed to the involved employees by the Assistant Vice President of Human Resources. The decision of the Executive Vice President and Chief Financial Officer shall be final.
7. The time limits stated above are subject to modification on a case-by-case basis due to operational requirements, travel away from campus, University academic breaks and holidays, and other extenuating circumstances. Human Resources shall have final authority to resolve any disputes or issues regarding the implementation of the grievance procedures, including extensions of stated time frames.

VI. STATEMENT OF NON-RETALIATION: All employees are prohibited from retaliating against any employee who has either filed a grievance, or has assisted or participated in any manner in an investigation or proceeding related to this grievance procedure. Appropriate corrective action, up to

and including termination, will be administered to any employee who is found to have retaliated against an employee related to this grievance process.

VII. CONFIDENTIALITY AND RECORD KEEPING:

- A. All participants in the grievance process are expected to treat all proceedings with respect to this policy as confidential.
- B. No record of any grievance will be placed in a grievant's personnel file. The Human Resources Department will maintain separate files of all grievances.

VIII. GENERAL:

- A. Employees may seek advice and consultation from the Human Resources Department regarding any job-related dispute or problem at any time, whether or not they choose to file a formal grievance.
- B. Separate University policies and procedures exist to process sexual harassment complaints; terminations through the Corrective Action process; performance evaluations disputes; layoffs and restructurings; Ethic Point complaints; and other personnel actions. As a result, the staff grievance process may not be used in conjunction with or to replace or appeal any of these other processes.
- C. The policy may not be used to grieve probationary performance evaluations or salary.
- D. Grievances may be filed by the individual employee who believed he or she has been affected by the policy violation, or misapplication of a policy. Grievances may not be filed by a third party on behalf of another employee.
- E. Human Resources will make the determination as to whether an issue is grievable under this policy.
- F. Neither University nor non-University employees may accompany the grieving or responding employee to grievance meetings.
- G. The Human Resources Department is available to provide assistance regarding the process if requested by the employee or supervisor and will serve the parties in an administrative capacity throughout the proceeding.
- H. If a grievance is directed at a supervisor, it may be initiated at Step Two of the process. As appropriate, some issues may be initiated at Step Three. The Human Resources Department will resolve any question about the proper level at which a grievance should be initiated.

- I. Appropriate corrective action, up to and including termination, will be administered to any employee who is found to have intentionally submitted a false report or grievance against another individual alleging a violation or misapplication of JCU policies.

IX. CROSS REFERENCE:

- A. Corrective Action Policy
- B. Sexual Harassment Policy
- C. Bias Reporting System
- D. Ethics Point

X. ATTACHMENTS

- A. [Grievance Form](#)