



**UNIVERSITY OF DENVER  
POLICY MANUAL  
EMPLOYEE GRIEVANCE PROCESS**

<b><u>Responsible Department:</u></b> Human Resources and Inclusive Community <b><u>Recommended By:</u></b> Provost, VC Human Resources and Inclusive Community <b><u>Approved By:</u></b> Chancellor	<b><u>Policy Number</u></b> 3.10.060	<b><u>Effective Date</u></b> 6/8/2018
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------	------------------------------------------

## **I. INTRODUCTION**

This Policy sets forth the University's internal employee grievance process for administrative decisions or actions, as well as for grievances against other faculty members.

## **II. POLICY OVERVIEW**

### **Grievances**

For purposes of this Policy, "grievances" are complaints by employees of the University (except as described in Sections I. E., I. F. and I. G below) relating to:

1. Alleged wrongful termination or demotion;
2. Disagreement regarding a work performance evaluation;
3. Availability or amount of an employee benefit such as holidays, vacations, or sick leave; or
4. Any other significant matters affecting terms or conditions of employment including salary.

The time limits described below may be extended by either the Provost or designee, or the Vice Chancellor of Human Resources and Inclusive Community or designee upon written request prior to deadline.

The University will not tolerate any form of reprisal or punitive action for submitting or attempting to submit a grievance.

The procedure outlined herein is an internal, administrative process. Neither external nor internal legal counsel for either party may be present at the meetings specified in the present document.

Employees who are covered by the Collective Bargaining Agreement shall not be covered by this Policy.

Matters involving harassment or discrimination must first be reported to and investigated by the Office of Equal Opportunity before entering into the grievance process.

This Policy applies to issues not addressed by the Faculty Personnel Guidelines Relating to *Appointment, Promotion, and Tenure ("APT") document*. That document shall take precedence over any matters covered by this document. Faculty grievances may take one of the three following tracks depending on the nature and content of the grievance:

1. Grievance of an administrative decision or action not covered by the APT document – follow the Procedure for Grieving an Administrative Decision or Action;
2. Grievance regarding conflict



to the FRC must also include, as attachments, both the original written grievance and the respondent's written response. The FRC shall submit its determination to the grievant and respondent within twenty (20) working days of receipt of the grievance.

If the grievant submits an appeal of ntt's

- b. if the Vice Chancellor is not the respondent's supervisor, the grievant may appeal the decision of the respondent's supervisor to the Vice Chancellor. The decision of the Vice Chancellor, or his or designee, is final.

The appeal of the decision of the respondent's supervisor must be in writing and must include, as attachments, the original written grievance, the respondent's written response, the appeal submitted to the respondent's supervisor, and the response of the respondent's supervisor. For faculty, if the determination of the FRC was obtained, the appeal must include a copy of the grievance submitted to the FRC and the report of the FRC.

## **B. Procedure for Faculty Peer to Peer Grievance**

The procedures in this section are reserved for a grievance between faculty members as peers rather than a grievance concerning an administrative action or decision. To the extent that a grievance may contain both of these types of claims the Faculty Peer to Peer process shall not be used to provide a second review of the same claim, and vice versa.

### **1. Step One: Informal Resolution**

The grievant is strongly encouraged to discuss any complaint covered by this Policy with the respondent and make a concerted effort to resolve the complaint without relying on the formal process described below. The discussion should occur as soon as reasonably possible after the grievant learns of the disputed matter. If both parties to the grievance agree, an outside party such as a Human Resources and Inclusive Community Representative, Mediator, Faculty Colleague, or University Administrator may be invited to mediate the discussion to assist in achieving conciliation.

### **2. Step Two: Written Grievance**

If not satisfied with the results of the informal resolution, the grievant may submit a written grievance with the lowest level shared supervisor (LLSS) of the grievant and respondent. The grievance should contain a reasonably detailed description of the issue(s) involved and any relief being sought. If an informal discussion is not conducted as recommended in Step One above, the reason an informal discussion was not conducted must be given in the written grievance.

A copy of the written grievance and all subsequent written statements produced as a result of the grievance process, as described herein, must be filed with the Director of Human Resources and Inclusive Community.

If the LLSS is not the Provost, a written grievance may be submitted no later than forty-five (45) calendar days from the date the grievant learns of the situation giving rise to the grievance. A pattern of actions or decisions

reaching farther back in time may be included in a grievance, if the grievant learned of the most recent action or decision in the pattern within the past forty-five (45) calendar days.

If the LLSS is the Provost, the grievant may solicit, at his or her discretion, the determination of the Faculty Review Committee (FRC) before submitting a written grievance to the LLSS.

To solicit the determination of the FRC, the grievant must submit a written grievance to the FRC within forty-five (45) calendar days from the date the grievant learns of the situation giving rise to the grievance. A pattern of actions or decisions reaching farther back in time may be included in a grievance, if the grievant learned of the most recent action or decision in the pattern within the past forty-five (45) calendar days. A grievance submitted to the FRC should contain a reasonably detailed description of

issue(s) involved and any relief being sought. The appeal must also include, as attachments, the original written grievance from the grievant and the LLSS's written response.

Either the grievant or respondent may solicit, at his or her discretion, the determination of the Faculty Review Committee (FRC) before submitting an appeal to the LLSS's supervisor.

To solicit the determination of the FRC, the grievant or respondent must submit a written grievance with the FRC within ten (10) working days of the receipt of the LLSS's written response. A grievance submitted to the FRC should contain a reasonably detailed description of the issue(s) involved and any relief being sought. A grievance submitted to the FRC must also include, as attachments, both the original written grievance and the LLSS's written response.

