



SUB-TOPIC

GRIEVANCE POLICY AND PROCEDURES

I. Policy Statement

It is the policy of The University of Texas at Dallas to encourage fair, effective and efficient solutions for problems arising out of the employment relationship and to meet the requirements of state and federal law.

II. Scope

Included under this policy are complaints concerning wages, hours of work, working conditions, performance evaluations, merit raises, job assignments, reprimands, and the interpretation or application of a rule, regulation or policy.

The complaint(s) of all employees including nontenure-system faculty, except those faculty subject to Policy Memorandum 92-III.21-54 (Faculty Grievance Policy), graduate research assistants, graduate teaching assistants, and UTD police officers, will be addressed according to this policy. Included are complaints from probationary, temporary, and casual hourly or per diem employees.

III. Retaliation Prohibited

A student, faculty, or staff member who retaliates in any way against an individual who has brought a grievance pursuant to this policy or who has participated in good faith in preparing, presenting or investigating a grievance, is subject to disciplinary action, up to and including dismissal from the University.

IV. Definitions

- A. **Complainant** means a person who submits a grievance under this policy.
- B. **Formal Grievance** means the signed document containing the elements listed in section V, Step B of this policy.
- C. **Informal Grievance** means the discussion of a problem as outlined in section V, Step A of this policy.
- D. **Notification** takes place two days after the date of posting of any properly addressed document in the United States mail, or upon the date of receipt of any document sent via the campus mail service. Written communications to a complainant are properly addressed when sent to the address given in the complaint or the last address given since the filing of the complaint.

V. Grievance Procedure

Step A. The employee informally presents the complaint to his or her supervisor or administrative equivalent for discussion, consideration and resolution within five (5) working days from the date of the action which is the subject of the complaint. If the employee's supervisor is the subject of the complaint, the employee may address the complaint to the appropriate department head or administrative equivalent. The department head, or equivalent, will normally ask another supervisor to consider the informal request, although if required by unusual circumstances, the department head may consider the complaint. The supervisor or equivalent will meet with the employee within five (5) working days of receiving the complaint to explain his or her resolution decision.

Step B. If the supervisor's resolution is not satisfactory, the employee may present a formal grievance in writing to the appropriate department head or administrative equivalent for consideration and action within five (5) working days of the Step A decision. The written grievance must contain the following information:

- Name and UT Identification Number of the Complainant(s);
- Contact information, including address, telephone, e-mail;
- Name of person(s) directly involved in the complaint;
- Nature of the grievance, including relevant dates;



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- Copies of any documents pertaining to the complaint;
- Names of any witnesses;
- Summary of the results of Step A of this process;
- Requested resolution action(s) preferred by complainant;
- Complainant's signature and date of filing; and
- Any other relevant information.

The following communications do not constitute a grievance and will not be investigated or resolved pursuant to this process: oral allegations, e-mail correspondence, anonymous communications, courtesy copies of correspondence or a complaint filed with others; inquiries that seek advice or information only, pre-grievance consultations and informal resolution activities.

The department head or equivalent will review the written grievance and mail a written decision to the employee within five (5) working days of receipt of the written grievance.

Step C. If the employee is not satisfied with the decision of the department head or administrative equivalent, a letter stating why the Step B decision is incorrect may be sent to the appropriate dean, director or administrative equivalent within five (5) working days of the date of the Step B notice. Within ten (10) working days, the dean, director, or equivalent will review the department head's decision and will notify the employee in writing that he or she is either a) upholding the department head's Step B decision, b) granting the employee's requested resolution, or c) proposing an alternative resolution.

Step D. If the employee is not satisfied with the decision of the dean, director or equivalent, a letter stating why the Step C decision is incorrect may be sent to the appropriate vice president or administrative equivalent for the employee's department within five (5) working days of the date of the Step C notice. Within a reasonable time, not to exceed thirty (30) days following receipt of the letter, the vice president will review the dean, director, or equivalent's decision and mail his or her decision to the employee. The vice president's decision is final and concludes the grievance process.

VI. Miscellaneous

- A. The written complaint and all decisions or responses regarding such complaint shall be a part of the official employment file of the employee.
- B. Any person who knowingly and intentionally files a false complaint under this policy is subject to disciplinary action up to and including dismissal from the University.
- C. The filing of a grievance will not stop or delay any evaluation or disciplinary action related to the complainant who is not performing up to acceptable standards or who has violated University rules or policies.
- D. Time frames mentioned in these procedures may be extended for good cause, such as holidays or when classes are not in session, or when it is necessary to complete an investigation due to difficulties reaching witnesses or parties to the grievance.
- E. The confidentiality of a grievance under this policy and all documents, correspondence, interviews and discussions relating to the investigation of the grievance will be maintained on a need to know basis to the extent permitted by law and policy. Any person who knowingly and intentionally makes an unauthorized disclosure of confidential information contained in a grievance is subject to disciplinary action.

For Assistance: Questions regarding this policy should be directed to the Office of Human Resources.