

## Grievance Procedures: Roles & Responsibilities (July 2017)

ROLE (Alphabetical)	KEY RESPONSIBILITIES
<b>Administrative Head (Dean/Vice President (VP)/Associate Vice President (AVP))</b>	<b>Step 2 Decision-Maker</b> <ul style="list-style-type: none"> <li>• Exercise diligence in reviewing all materials provided as part of the Step 2 appeal</li> <li>• Contact UHR and HRL for assistance; assure UHR has a copy of the appeal</li> <li>• Within 10 calendar days of receipt of the appeal, meet with Employee/Grievant and discuss appeal</li> <li>• Give Employee/Grievant opportunity for oral presentation and rebuttal by Supervisor/Respondent</li> <li>• Within 10 calendar days of meeting with the Employee/Grievant, issue written decision affirming, reversing, or modifying Step 1 decision</li> </ul>
<b>Arbitrator</b>	<b>Arbitration Decision-Maker</b> <ul style="list-style-type: none"> <li>• Arbitrator hears appeals where the Merit System Director has accepted the request for arbitration</li> <li>• An arbitrator serves as a neutral decision-maker and 'referee' in an arbitration proceeding, much like a judge</li> <li>• The arbitrator establishes procedures for the conduct of the hearing in a fair and informal manner that affords each party reasonable and ample opportunity for case presentation and to rebut the presentation of the other</li> <li>• Arbitrator applies ISU policies and procedures in examining the matter being appealed</li> <li>• Issues written arbitration decision, which is the final decision on the grievance, unless the losing party is the Employee/Grievant and they pursue further remedies in District Court</li> </ul>
<b>Co-Worker(s)</b>	<b>Support Person(s) for Employee/Grievant</b> <ul style="list-style-type: none"> <li>• Co-workers are not permitted to be present during the informal dispute resolution process, only in formal grievances and subsequent appeals</li> <li>• During Steps 1 - 3 and at Arbitration (if applicable), the Employee/Grievant may invite one to two (1-2) Co-Workers present for support during any meetings or oral presentations</li> <li>• Co-Workers are not permitted to advocate on behalf of the Employee/Grievant, but may share notes or discuss the proceedings during recesses</li> </ul>

	<ul style="list-style-type: none"> <li>• The Employee/Grievant may need to identify alternate Co-Workers, if their absence from their positions would cause an undue hardship for their work unit</li> <li>• A Co-Worker may not also be a potential Witness to the underlying grievance</li> </ul>
<b>Department Head</b>	<p><b>Step 1 Decision-Maker</b></p> <ul style="list-style-type: none"> <li>• Exercise diligence in reviewing all grievance materials provided as part of the Step 1 grievance</li> <li>• Contact UHR and HRL for assistance; assure UHR has a copy of the appeal</li> <li>• Within 10 calendar days of receipt of the appeal, meet with Employee/Grievant and discuss grievance</li> <li>• Give Employee/Grievant opportunity for oral presentation and rebuttal by Supervisor/Respondent</li> <li>• Within 10 calendar days of meeting with the Employee/Grievant, issue written decision</li> </ul>
<b>Employee/Grievant</b>	<p><b>Grieving/Appealing Party</b></p> <ul style="list-style-type: none"> <li>• Merit employee with a permissible grievance (see Procedures for included and excluded grievances)</li> <li>• Seek pre-grievance assistance (Ombuds, UHR, HR Liaison, OEO); make good-faith effort to informally resolve complaint with immediate supervisor</li> <li>• Once formal grievance process has begun: meet all filing deadlines and requirement, continue making good-faith effort to resolve issues</li> </ul>
<b>Employee Assistance Program (EAP)</b>	<p><b>Confidential Resource</b></p> <ul style="list-style-type: none"> <li>• Grievance and appeal processes can be stressful for any party involved. <a href="#">EAP</a> is a university benefit offering confidential assistance to all employees</li> <li>• EAP counselors can assist in discussing issues relating to work stress, work-life balance, and legal concerns.</li> <li>• EAP services are confidential. Information employees discuss with EAP counselors is not shared with UHR or members of the university leadership</li> </ul>
<b>Human Resource Liaison (HRL)</b>	<p><b>Resource</b></p> <ul style="list-style-type: none"> <li>• Assist Supervisor and Employee/Grievant during Informal Grievance Resolution step</li> <li>• Assist Step 1 and 2 Decision-Makers with process</li> <li>• Assist Employee/Grievant with process questions</li> </ul>
<b>Legal Representative</b>	<b>Resource</b>

	<ul style="list-style-type: none"> <li>• If an arbitration is sought by the Employee/Grievant and granted by the Merit System Director, the Employee/Grievant may be legally represented by a licensed attorney (at their own cost) at this stage of the grievance process</li> <li>• The Board of Regents will provide legal representation for the university at this stage of the grievance process</li> </ul>
<p><b>Manager of Employee Relations and Labor Relations</b></p>	<p><b>Resource/University Process Facilitator</b></p> <ul style="list-style-type: none"> <li>• Individual within UHR who is primarily responsible for overseeing the facilitation of the formal grievance process</li> <li>• Oversee the office responsible for advising parties (both Employee/Grievant and members of leadership) concerning university policies, practices, options and resources</li> <li>• Oversee the office responsible for assisting Supervisors and HRLs in informally resolving problems to the greatest extent possible</li> <li>• Answer Employee/Grievant questions about grievance and appeals process</li> <li>• Serve as Liaison with Merit System Director on appeals requesting or related to arbitration</li> </ul>
<p><b>Merit System Director</b></p>	<p><b>Board of Regents Arbitration Facilitator</b></p> <ul style="list-style-type: none"> <li>• Per the Regents Merit System Rules, the Merit System Director, on behalf of the Board of Regents, reviews appeals filed by Employee/Grievant requesting arbitration</li> <li>• Determines whether request for arbitration will be granted or denied</li> </ul>
<p><b>Office of Equal Opportunity (OEO)</b></p>	<p><b>Resource</b></p> <ul style="list-style-type: none"> <li>• Possible resource for Employee/Grievant for early intervention and attempt to resolve conflict (if protected class status an issue)</li> <li>• Does not play a role in the grievance/appeals process</li> <li>• Cannot serve as a Co-Worker in grievance/appeals process</li> <li>• Responsible for investigating OEO complaint, where complaint alleges harassment or discrimination based on protected class status (e.g., race, gender, age, disability, etc.). Such complaints are excluded from the merit grievance process</li> <li>• Potential Employee/Grievant can seek guidance from OEO if they are not certain whether they should file an</li> </ul>

	OEO complaint or a Merit Grievance. UHR, HRL, and Ombuds Office can also assist in this manner
<a href="#"><u>Ombuds Office</u></a>	<p><b>Confidential Resource</b></p> <ul style="list-style-type: none"> <li>• Resource for Employee/Grievant for early intervention and attempt to resolve conflict</li> <li>• Does not play a formal role in the grievance/appeals process</li> <li>• Cannot serve as a Co-Worker in grievance/appeals process</li> </ul>
<b>Supervisor/Respondent</b>	<p><b>Informal Grievance Resolution Decision-Maker</b></p> <ul style="list-style-type: none"> <li>• When on notice that Employee/Grievant has a concern, seek pre-grievance assistance (Ombuds, UHR, HR Liaison, and, if relevant, OEO)</li> <li>• Make good-faith effort to informally resolve complaint with Employee/Grievant</li> <li>• Once formal grievance process has begun: comply with all requests for cooperation/information made during the grievance process</li> <li>• Continue to actively manage and supervise Employee/Grievant in a positive and meaningful manner</li> </ul>
<b>University Human Resources (<a href="#"><u>Employee Relations/Labor Relations</u></a>)</b>	<p><b>Resource/University Process Facilitator</b></p> <ul style="list-style-type: none"> <li>• Office responsible for advising parties (both Employee/Grievant and members of leadership) concerning university policies, practices, options and resources</li> <li>• Assist Supervisors and HRLs in informally resolving problems to the greatest extent possible</li> <li>• Facilitate the formal grievance process</li> <li>• Answer Employee/Grievant questions about grievance and appeals process</li> <li>• Serve as Liaison with Merit System Director on appeals requesting or related to arbitration</li> </ul>
<b>Senior Vice President (SVP)/President</b>	<p><b>Step 3 and Institution’s Final Decision-Maker</b></p> <ul style="list-style-type: none"> <li>• Exercise diligence in reviewing all materials provided as part of the Step 3 appeal</li> <li>• Contact UHR and HRL for assistance; assure UHR has a copy of the appeal</li> <li>• Within 10 calendar days of receipt of the appeal, meet with Employee/Grievant and discuss appeal</li> <li>• Give Employee/Grievant opportunity for oral presentation and rebuttal by Supervisor/Respondent</li> </ul>

	<ul style="list-style-type: none"> <li>• Within 10 calendar days of meeting with the Employee/Grievant, issue written decision affirming, reversing, or modifying Step 2 decision</li> </ul>
<p><b>Witness(es)</b></p>	<p><b>Possible Grievance/Appeal/Arbitration Participant</b></p> <ul style="list-style-type: none"> <li>• An individual with personal knowledge or observations related to the underlying grievance who may be asked to participate in the grievance, appeal, or arbitration process</li> <li>• Expected to meaningfully participate in any phase of the investigation and any interviews or hearings</li> <li>• Expected to be honest and forthcoming</li> <li>• Expected to immediately report to UHR (or their immediate supervisor) and suspicions of retaliation</li> <li>• If an individual is identified as a Witness to the underlying grievance, that individual may not also serve as a Co-Worker to the Employee/Grievant</li> </ul>

The Merit Employee Grievance Procedures are issued by University Human Resources (UHR), in compliance with requirements set forth in the Regents Merit System Rules (RMSR). UHR retains the authority to revise them as necessary and appropriate. Inquiries should be directed to Employee Relations/Labor Relations within UHR.