

CONDUCT AND DISCIPLINARY ACTION

GRIEVANCE PROCEDURE

General Policy

As a service to employees, personnel are available to advise and assist Southwestern's employees who have a question, problem, or complaint about working conditions. Most concerns can be resolved by informal discussions between the parties involved. The Human Resources Officer is available to counsel employees who have grievances. Fair and prompt consideration will be given to any personal concern or dissatisfaction about employment.

The University Human Resources Officer should be contacted if a person feels there has been employment discrimination due to age, race, color, national origin, religion, gender (including sexual harassment), or qualified disability.

The following steps are suggested to resolve questions of employment dissatisfaction:

Talk to your supervisor first. To ensure that employment problems are resolved effectively, the employee should discuss the area of concern with his or her immediate supervisor.

If necessary, continue up the ladder. If the question is not resolved at this level, the employee may request an appointment to discuss the problem with the appropriate person at each administrative level up to and including the University President.

A formal hearing may be requested. If a complaint is not resolved through informal procedures, then a written grievance may be filed to provide for hearings before a committee or for reviews at various management levels.

Formal Complaint

A formal complaint is defined as the dissatisfaction that occurs when an employee believes that any condition of his/her employment is unjust, inequitable, a hindrance to effective operation, or is creating a problem. Suspensions, demotions, or discharge from employment shall be considered as formal complaints, but shall be considered as basis for appeal. Salary increases, job classifications, and fringe benefits are matters determined during budget deliberations and are not considered items for formal complaint. The formal complaint procedure does not apply to action taken during the employee's introductory period or to action taken under the Reduction of Work Force Policy or the non-renewal of an individual's appointment.

Determination

Meetings and investigations shall be conducted during the employee's regular working hours whenever possible. At any step or level of the review procedures, the Human Resources Director may elect to arbitrate a decision to resolve the situation or make a recommendation to the appropriate Vice President. In addition, the Human Resources Director shall serve in the capacity of an information gathering and advisory person. Each step or level should occur in a timely manner to be determined by the Human Resources Director. The Human Resources Director may opt to appoint an ad hoc committee to make recommendations to him/her regarding individual complaints.

Procedure

The employee shall present the facts in writing to his/her supervisor, sending a copy to the Human Resources Director. A formal complaint must be in writing and contain the following:

- a clear and detailed, signed statement of the complaint, the specific remedial action or relief sought,

- a summary outlining with whom the points of dissatisfaction were discussed and with what results, and

- the reason(s) why remedial action or relief is sought.

At any time the employee receives an unsatisfactory reply or fails to receive a reply, he/she has the right to submit the complaint to the next level from the previous supervisor. The supervisor at this level shall review all of the facts of the case and the decision rendered by the previous supervisor, then render a decision in writing to the employee. At each level, a copy of the reply to the complaint must be forwarded to the Human Resources Officer. This procedure shall be followed when applicable through the levels of progression.

The decision of the Human Resources Director shall be final; unless, the Human Resources Director opts at his/her discretion to make a recommendation to the appropriate Vice President for decision, in which case, the Vice President's decision shall be final. Employees may contact the Human Resources Office for additional information regarding grievance procedures.