



Procedure on Grievances for Exempt and Nonexempt Employees

(Approved by the President on August 16, 2005)

I. PURPOSE & APPLICABILITY

This procedure is established to designate the individuals who are responsible for receiving Grievance Forms under BOR VII – 8.00 Policy on Grievances for Associate Staff and Classified Personnel. This procedure applies to UMBI regular status Exempt and Nonexempt employees.

II. BACKGROUND

BOR VII - 8.00 Policy on Grievances for Exempt and Nonexempt Staff Employees provides detailed procedures for the filing of grievances, holding of grievance hearings, and appeal of grievance decisions. To assist employees, this procedure designates the UMBI person to whom Grievance Forms should be submitted.

III. DEFINITIONS

- A. Grievance - Any cause of complaint arising between an employee and his/her employer on a matter concerning discipline, alleged discrimination, promotion, assignment, or interpretation or application of USM/UMBI policies and/or procedures over which management has control. If, however, the complaint pertains to the general level of wages, wage patterns, fringe benefits, or to other broad areas of financial management and staffing, it is not a grievable issue.
- B. Policy – Refers to BOR VII 0 8.00 Policy on Grievances for Exempt and Nonexempt Staff Employees
- C. Unit Head - The UMBI President, Vice Presidents, Center Directors, or their designees.

IV. PROCEDURE

A. Step One

1. The aggrieved employee shall submit a UMBI Grievance Form to the applicable Unit Head according to the time lines outlined in the Policy. The Unit Head will contact the Assistant Vice President for Human Resources immediately for assistance with setting up the Step One Grievance Hearing.
2. Upon conclusion of the Step One hearing, the Unit Head shall provide a copy of the written decision to the Assistant Vice President for Human Resources as well as to the aggrieved employee, as described in the Policy.
3. The aggrieved Employee will be notified in writing by the Unit Head of their right to appeal to a Step Two hearing, if the employee is not satisfied with the decision at Step One.

B. Step Two

UMBI Policies and Procedures

1. If the aggrieved employee wishes to appeal the Step One decision, the UMBI Grievance Form requesting an appeal to Step two must be completed and signed and submitted to the UMBI Assistant Vice President for Human Resources within the time set forth in the Policy.
2. The Assistant Vice President for Human Resources will work with the UMBI President or designee to determine whether the President or a designee will hear the grievance or whether an outside hearing officer should be engaged.
3. Upon conclusion of the Step Two hearing, the Hearing Officer shall provide a copy of the written decision to the Assistant Vice President for Human Resources as well as to the aggrieved employee, as described in the Policy.
4. The aggrieved Employee will be notified in writing by the Assistant Vice President for Human Resources of their right to appeal to either arbitration or a Step Three hearing, if the employee is not satisfied with the decision at Step Two. Such notification will state the time within which such appeal must be filed.

C. Step Three

1. If the aggrieved employee chooses to go to arbitration, the Assistant Vice President for Human Resources shall arrange to engage an arbitrator.
2. If the aggrieved employee chooses to appeal to a Step Three Grievance Hearing, the employee is responsible for submitting the appeal in writing to the Chancellor's office, with a copy to the Assistant Vice President for Human Resources.

V. FORMS

The UMBI Grievance Form shall be used to file a grievance as described above.

APPROVED: Jennie C. Hunter-Cevera 8/16/05