

**Policy Document VI**  
**GRIEVANCE PROCEDURE**  
**FOR NON-FACULTY UNCLASSIFIED PERSONNEL**

The “Grievance Procedure for Non-Faculty Unclassified Personnel” provides a mechanism for a non-faculty unclassified employee to protest University decisions which the grievant believes have adversely affected his/her terms and/or conditions of employment. Non-faculty unclassified employees are defined as administrative officers, professional staff, and other persons holding positions specifically exempt from classified service.

The procedure outlined here is designed to resolve personnel complaints quickly, fairly, and equitably. It is to be used for any work-related grievance not related to discrimination or sexual harassment; grievances based on claims of discrimination and sexual harassment are described in separate policy documents. A staff member who files a grievance under the terms of this policy will not be penalized or suffer retaliation at the hands of a supervisor.

**I. Introduction**

- 1.1** The Grievance Procedure is not intended to create and will not be construed to constitute a contract, express or implied, between UL Lafayette and an employee. Specifically, the Grievance Procedure does not constitute an employment contract for a fixed term and it does not affect the terminable-at-will status of any unclassified employee. An unclassified employee whose employment has been terminated cannot file a grievance over the termination.
- 1.2** Throughout this document the non-faculty unclassified staff member who files a complaint or grievance is referred to as the “**Grievant**,” and the person whose action or decision is the subject of the grievance is referred to as the “**Decision-Maker**.”
- 1.3** The Grievant must initiate each of the first three steps of the Grievance Procedure. If the Grievant fails to initiate a step in the process according to the established timeline of the grievance process, the grievance is considered abandoned.
- 1.4** At any step of the Grievance Procedure, the Grievant may be accompanied by a person of his/her choosing whose role is limited to that of advisor and does not include presentation or open advocacy.

**2 Step One: Informal Resolution**

- 2.1** Before filing a formal grievance, the Grievant must confer informally with the Decision-Maker in an attempt to resolve the problem.
- 2.2** If the grievance is not resolved through a discussion between the Grievant and the Decision-Maker, or if the identity of the Decision-Maker is unclear, the Grievant should attempt informal resolution with his/her immediate supervisor. If the immediate supervisor is the Decision-Maker, the Grievant should seek informal resolution through that person’s supervisor.
- 2.3** The informal discussion should commence no later than ten (10) business days from the date the Grievant discovers the action or decision about which he/she wishes to complain.
- 2.4** If the Grievant’s supervisor is not able to effect a resolution through this informal discussion process within ten (10) business days after being informed of the

complaint, the supervisor should so inform the Grievant, who may pursue the matter further by filing a written grievance, as described in Step Two below.

### **3 Step Two: Written Grievance**

- 3.1** The Grievant may submit a written explanation of the grievance to his/her immediate supervisor or, if the immediate supervisor is the Decision-Maker, to the next person in the chain of authority. The explanation should be accompanied by any supporting documentation that the Grievant believes substantiates the complaint. The formal written grievance should be delivered to the appropriate supervisor within five (5) business days after the conclusion of Step One.
- 3.2** The supervisor will investigate the matter by consulting the Grievant and the Decision-Maker and, within ten (10) days from the submission of the written grievance, will send a written decision in the matter to the Grievant; the Decision-Maker; and the Vice President of the Grievant's administrative unit.

### **4 Step Three: Hearing Request**

- 4.1** If the Grievant is not satisfied with the disposition of his written grievance, the Grievant may submit a hearing request to the President of the University.
- 4.2** The hearing request must be filed within ten (10) business days from the receipt of the supervisor's decision on the written grievance.
- 4.3** The grievance will be heard by a Grievance Committee at the discretion of the President.
- 4.4** The Committee will consist of five unclassified employees selected as follows:
  - 4.4.1** Two selected from a list of four nominees submitted by the Grievant to the President.
  - 4.4.2** Two selected from a list of four nominees submitted by the Decision-Maker to the President
  - 4.4.3** One appointed by the President of the University who will serve as chair of the committee.

### **5 Step Four: Conduct of Hearing**

- 5.1** The hearing will commence within twenty (20) business days of the hearing request.
- 5.2** The Grievance Committee chair will notify the Grievant and the Decision-Maker of the hearing at least ten (10) days prior to its commencement. The notice will: (1) specify the time and place of the hearing; (2) inform the Grievant that he/she may be accompanied by an individual of his/her choice whose role is limited to that of advisor and does not include presentation or open advocacy; and (3) advise both parties that they may inspect university documents and other items pertinent to the grievance which are not confidential under State and Federal law.
- 5.3** The University recognizes that it is difficult to formulate a set of procedures which can anticipate and accommodate all possible circumstances. Therefore, the Chair of the Grievance Committee is empowered to rule on all questions of procedure. When it is deemed necessary, the Chair may call a

recess at any time and ask the Committee for a private discussion of and assistance in a ruling.

- 5.4 At the beginning of the proceeding, both parties to the grievance may offer statements regarding the events and issues that led to the grievance.
- 5.5 Both the Grievant and the Decision-Maker may produce witnesses who shall be subject to questioning. Testimony of all witnesses will be under oath and may be recorded at the request of any participant. Witnesses other than the one testifying shall be excluded from the hearing room.
- 5.6 Any officer or employee required to testify shall not be penalized in any way because of his/her appearance as a witness.
- 5.7 The participants may offer evidence in support of their arguments and will provide any evidence deemed necessary by the Grievance Committee.
- 5.8 After the testimony of all parties is completed, the Grievance Committee will deliberate the matter in closed session. Each member of the Grievance Committee, including the Chair, will have one vote. All votes will be by secret ballot. A simple majority of votes is required for a recommendation to be made by the Grievance Committee to the President.

## **6 Step Five: Post-Hearing Recommendations**

- 6.1 It is the responsibility of the Chair to communicate in writing the Grievance Committee's recommendation regarding the merits of the grievance, as well as the reasons underlying the Committee's recommendation. The written communication must be sent to the Grievant, the Decision-Maker, and the President within ten (10) business days after the hearing.
- 6.2 The final decision regarding the grievance rests with the President, who will communicate his/her final decision in writing to the Grievant, the Decision-Maker, and the Vice President of the Grievant's administrative unit. The President's communication will be sent within twenty (20) business days of the receipt of the Grievance Committee's written recommendation.
- 6.3 The President is not bound by the recommendation of the Grievance Committee. The President's decision in the case is final.

**UNIVERSITY OF LOUISIANA AT LAFAYETTE**

**GRIEVANCE FORM  
FOR UNCLASSIFIED EMPLOYEES**

This Grievance Form is to be used if the Grievant is not satisfied with the decision of the Decision-Maker (the person who made the decision complained of, or in the case of doubt; the immediate supervisor). The Form shall be completed at each subsequent step.

**NAME OF GRIEVANT:** \_\_\_\_\_

**DEPARTMENT, DIVISION OR UNIT:** \_\_\_\_\_

**JOB CLASSIFICATION:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**GRIEVANCE STATEMENT:**

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**RELIEF SOUGHT:**

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