



**Policy Number and Chapter:** 05.042 Human Resources

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**Policy Title:** Grievance

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**Policy Statement.** The University of North Texas (the “University”) encourages fostering positive and effective communications between its management and employees. The University is devoted to obtaining fair, efficient and equitable solutions for conflicts arising out of the employment relationship and is committed to prompt, fair, and equitable treatment of all employees. The University provides a formal, internal process for the good faith resolution of work-related grievances.

**Application of Policy.** All non-faculty employees.

### **Definitions**

1. **Alternative Dispute Resolution.** “Alternative Dispute Resolution” is the use of an informal, non-adversarial process to resolve concerns among individuals in the workplace generally using a neutral third-party to promote understanding and reconciliation.
2. **Grievance.** “Grievance” is an employee’s formal expression of disagreement or dissatisfaction with employment-related concerns, such as working conditions, hours of work, compensation, environment, or relationships with supervisors or other employees. Review of an involuntary termination due to work performance/misconduct will follow the procedure set forth in Policy 05.033, Staff Employee Discipline and Involuntary Termination.
3. **Management Authority.** The authority of a manager or supervisor to take the following actions in accordance with University policy: hire employees; develop work unit policies or procedures; set work schedules, lunch hours and breaks; transfer, promote or demote an employee to achieve optimum use of the employee's skills and talents; discipline or terminate an employee; redesign jobs to ensure operational efficiency; terminate an employee because of lack of work or funds, changes in the organizational structure, to comply with University policies (i.e., retirement, nepotism, etc.), or because an employee's performance is insufficient for the standards of his or her job.
4. **Non-disciplinary Termination.** Involuntary termination for a non-disciplinary reason, include, but are not necessarily limited to: terminations due to lack of work or funds, terminations or demotions due to redesigning jobs and changes in the organizational structure, or terminations due to compliance with University policies and rules.
5. **President’s Designee.** The president may designate a university official in the position of vice president to consider a grievance.

6. Witness Statement. A written statement from an individual having first-hand knowledge of the action or circumstances giving rise to the grievance.

**Procedures and Responsibilities.** Employees who file grievances under this policy will be allowed time off from their regular duties, with pay, for attendance at any meeting pertaining to the grievance. No employee shall be disciplined or otherwise impacted in his or her employment for exercising his or her rights under this policy. However, if an employee uses this policy for the purpose of disrupting the operations of the work unit or the University, he or she may be disciplined. This policy is not intended to prohibit or restrict a supervisor from prudently exercising his or her management authority.

1. Initial Discussions/Problem Solving. In most instances, an employee should first discuss the issue with his or her immediate supervisor. If an employee is unable to discuss or resolve the matter with the immediate supervisor, the employee is encouraged to discuss the concern with the next higher supervisory authority. Supervisors will ensure that every reasonable effort is made to respond to an employee's concerns as expeditiously as possible.

Responsible Party: Employees and Supervisors.

2. Alternative Dispute Resolution. The involved parties may use the Alternative Dispute Resolution (ADR) process to resolve grievances. Both parties must agree to using the ADR process. This process may be initiated at any time, in which case the grievance process is suspended. The employee can resume the grievance process by providing notice to Human Resources within three (3) working days of the unsuccessful conclusion of the ADR process. If ADR is successful, the grievance process terminates.

Responsible Party: Employees, Supervisors and Human Resources.

3. Filing a Formal Grievance. A grievance may be submitted when a work-related concern cannot be resolved informally between the employee and his or her supervisor. An employee must submit a grievance to Human Resources within ten (10) business days from the date the action or condition occurred. Grievances must be in writing on the official form, and include the following information: (1) nature of the grievance, including the names of all person(s) involved and the date(s) and location(s) of the occurrence; (2) any documents or information that may assist in resolving the grievance; (3) attempts made to resolve the grievance and degree of success; (4) University policy that employee believes were violated; and (5) resolution the employee seeks.

Responsible Party: Employees and Human Resources.

- a. Consideration of a Grievance. Grievances will be reviewed by Human Resources for compliance with this policy and then forwarded to the immediate supervisor of the individual who took the action that is being grieved. The individual reviewing the grievance has ten (10) business days in which to respond to the grievance. If the president is responsible for reviewing a grievance, the president

may appoint a designee to review it instead. The president's or the president's designee's decision is final.

Responsible Party: Employees, Supervisors and Human Resources.

4. Appealing a Decision. If a grievance is not resolved to the employee's satisfaction, the employee can appeal the decision. The appeal must be submitted in writing to Human Resources within five (5) business days of receiving the response. Failure to submit an appeal within five (5) business days concludes the grievance. Appeals will be reviewed by Human Resources to ensure compliance with this policy and forwarded to the supervisor of the individual who initially responded to the grievance. An appeal must be responded to within five (5) business days, except that the president, vice president, or the president's designee may respond within ten (10) business days. The response to the appeal is final.

Responsible Party: Employees, Supervisors and Human Resources.

5. Extensions of Time. Any participant in the grievance process may request an extension from Human Resources if additional time is required for any step in the process. Only one extension will be granted in each step of the process.

Responsible Party: Employees, Supervisors and Human Resources.

6. Witness Statements. Witness statements may be submitted by any participant in the grievance process at any step in the process.

Responsible Party: Employees and Supervisors.

7. Allegations Requiring Additional Investigation. In the event an employee makes an allegation of a nature that requires investigation (such as discrimination, harassment, retaliation or a violation of other policies) during the grievance process, the allegation will be referred to the appropriate office to determine whether an investigation is warranted and the review process will be suspended until a determination is made by that office.

Responsible Party: Human Resources and other appropriate investigating office.

8. Human Resources, acting as a neutral party, may render advisory assistance regarding procedural matters and interpretation of applicable policies to either/both the employee or management.

Responsible Party: Human Resources.

### **References and Cross-References.**

[Texas Government Code 617.005](#)

[Mediation/Alternative Dispute Resolution Procedures](#)

[Policy 05.033 Staff Employee Discipline and Involuntary Termination](#)

[Policy 16.004 Prohibition of Discrimination, Harassment, and Retaliation](#)

[Policy 16.005 Sexual Harassment](#)

**Forms and Tools.**

[UNT Staff Employee Grievance/Involuntary Termination Review Form](#)

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Effective: June 5, 2012

Reviewed: