UNIVERSITY of West Georgia

UWG PROCEDURE NUMBER: 6.6.4, Staff Grievances and Appeals
Authority: UWG POLICY 6.6 (Performance and Employee Relations)

The Chief Human Resources Officer, pursuant to the authority of UWG Policy 6.6, establishes the following procedures for staff grievances and appeal.

Note: Faculty should refer to UWG Policy 2.6 Discipline and Grievance Procedures and accompanying procedures (currently published as Section 107 of the UWG Faculty Handbook); Students should refer to the Student Handbook, which sets forth several procedures depending upon the subject matter. Individuals with Title IX/Social Equity complaints should consult the procedures in UWG Procedure 6.2.3 Non-Discrimination and Anti-Harassment.

A. Statement of Purpose
The University of West Georgia recognizes the value of constructive dispute resolution, and encourages employees to uphold the institutional values of caring, collaboration and integrity when resolving disputes.

B. Definitions
1. “Advisor” - an individual who is not otherwise a party or witness involved in the investigation or hearing process, but may be present during any meetings and proceedings to advise the employee; an “Advisor” may advise the advisee, including providing questions, suggestions, advice on the proceedings, and guidance on responses to any questions of the participant, but shall not participate directly.

2. “Classified Employee” - professional and administrative employees exempt from, and employees not exempt from, the federal wage hour provisions of the Fair Labor Standards Act; see Board of Regents, Human Resources Administrative Practice Manual, Employee Categories.

3. “Dispute Resolution” - a means for resolving conflict that avoids the hearing process; for the purposes of this Procedure, this includes resolution by the Ombuds office and any committee established for this purpose

4. “Employment Action” - decisions that affect an employee’s working conditions

5. “Ombuds Office” - office created to operate informally and independent of the formal organizational structure of the University to resolve concerns, complaints, and questions about University policies, procedures, and practices

6. “Provisional Employment Period” - with the exception of certain public safety employees, all Classified Employees are required to serve the first six (6) months of employment on a provisional basis to provide the employer an opportunity to evaluate the employee’s performance; Provisional Employees are not entitled to aggrieve separation during this period

7. “Staff Grievance Procedure” - for purposes of this Procedure, it refers to the particular process established by this Procedure and any guidelines implemented by the Chief Human Resources Officer
C. Eligibility for Grievance

1. Employee Status. This grievance process is available to any Classified Employee working at least the equivalency of full-time who has completed the Provisional Employment Period. The Staff Grievance Procedure is not available to temporary employees, faculty, students or non-university employees (consultants, contractors, etc.).

2. Employment Actions Included. The Staff Grievance Procedure may be used by eligible employees to bring a grievance about a suspension, demotion, or other disciplinary action(s); or an involuntary termination (involuntary terminations do not include resignation or retirement).

3. Employment Actions Not Included. This Staff Grievance Procedure may not be used to bring a grievance about:
   i. performance evaluations;
   ii. flexible work option(s) decisions;
   iii. reductions in force;
   iv. salary and grade classification determinations;
   v. organization of a department or allocation of its resources;
   vi. termination of grant funding; or
   vii. non-renewal of a limited term position.

D. Pre-Hearing Requirements

Non-faculty employees of the University of West Georgia, only after completing the Provisional Employment Period, must follow these steps in order to proceed to hearing for an Employment Action that was identified as included as an eligible grievance:

1. First Level. The employee attempts to remedy the problem through consultation with his/her immediate supervisor.

2. Second Level. If the grievance cannot be resolved satisfactorily with the supervisor, the employee may discuss the problem at each level of supervision up to and including the appropriate Vice President. Discussion at each level in succession is not required.

3. Third Level. If the grievance has not been resolved at the second level, the employee may present his/her grievance to the Chief Human Resources Officer within ten (10) days of decision at Vice President level. The Chief Human Resources Officer or designee will arrange for an impartial Board of Review. The members of the Board of Review will be appointed by the President within ten (10) working days after written request.

E. Hearing Procedures

After the conclusion of the previous steps, if the employee seeks to pursue the grievance further, the Board of Review will conduct an evidentiary hearing which will be informal in nature. The Chief Human Resources Officer, in consultation with the Chief Legal Officer, is authorized to publish additional guidelines for use by the Board of Review and all parties as to the timelines and conduct of the hearing proceeding. After consideration of all information, and after deliberation among the members, the Board of Review will submit within five (5) business days a report to the President of its summary of the findings of fact and its recommendation as to corrective actions, if any.

F. Presidential Review of the Recommendation of the Board of Review.

The President may accept, reject, or remand the recommendation for additional information. If the matter is not resolved to the satisfaction of the employee, he or she may file an application for review, in writing, to the Board of Regents, within 20 calendar days following the written decision of the
President. This appeal shall state the final decision of the President and the redress desired. The provisions of the Board of Regents will govern this appeal.

G. Informal Assistance from the Ombuds Office
Any employee may contact the Ombuds Office to discuss informal Dispute Resolution options. While the Ombuds Office is not part of the Staff Grievance Procedure, consultation with an Ombuds representative to resolve conflict at the lowest level possible is encouraged.

H. Additional Guidelines
The Chief Human Resources Officer may publish additional guidelines for compliance with this Procedure. In the event any guideline conflicts with UWG Policy (or its associated procedures), the latter will control.

Issued by the Chief Human Resources Officer, the 6th day of August, 2018.

Signature, Chief Human Resources Officer

Reviewed by: Vice President for Business and Finance

Previous version: N/A