

Information

Grievances

Effective

May 2004

Number

PER 5 03

Applicability

This policy applies to University Administrators and Staff This policy does not apply to Temporary Employees

Administrative Authority

Vice President for Human Resources

Responsible Unit

Human Resources

Miller Information Technology Center Rm 02C

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History

August 11, 2017: Addition regarding administrators is consistent with Redbook Article 2.3, Sec,2.3.2

Revision Date(s): November 1, 2011; August 11, 2017 (effective November 30, 2017); May 27, 2020; October 27, 2020 (minor addition to Step 3 procedures); November 18, 2021 (minor changes to nomenclature); December 1, 2021 (minor edit to email); February 21, 2022 (minor edits); April 22, 2022 (minor edits); August 24, 2022 (minor edit); October 25, 2023; June 27, 2025; April 9, 2026 (minor revision)

Reviewed Date(s): March 9, 2016; August 11, 2017; June 13, 2025

Comment and Review Record:

Addition regarding administrators consistent with Redbook Article 2.3, Sec, 2.3.2

August 11, 2017

Endorsed by Staff Senate Grievance Committee

March 7, 2011

Endorsed by Staff Senate - Preliminary Draft

April 11, 2011

Approved by University Counsel as to Form and Legality

June 28, 2011

Vice President and Dean Comment Period

June 28, 2011 - July 15, 2011

Open Sessions for Community Comment

July 5 - 12, 2011

Final Draft Posted for Information

September 2, 2011

Final Draft Endorsed by Staff Senate

September 12, 2011

Reviewed by EC of Faculty Senate - No Action Required

October 19, 2011

Approved by Executive Vice President and Provost:

October 31, 2011

Categories**Statement:****Staff**

Any staff member who believes that a condition of employment is unfair or a hindrance to effective operations or performance may initiate a grievance in accordance with the provisions of this policy. In like manner, First Line Supervisors, managers, and department heads are obligated to respond to grievances in a timely and material manner in accordance with the provisions of this policy.

Administrators

Administrators are not covered in their administrative roles by the grievance procedures for faculty or staff. If an administrator is aggrieved in his or her

administrative role, such administrator is entitled to an informal hearing before his or her immediate superior, and if this is not satisfactory in resolving the grievance, to an informal hearing before the President or a designee. The decision of the President shall be final in all matters except the termination of service of such administrators, which is subject to ratification by the Board of Trustees.

Prohibition Regarding Retaliation:

To ensure open and professional communications between employees and supervisors, no employee shall be subject to retaliation for exercising his or her grievance rights, participating as a witness in another employee's grievance, or serving as a personal advisor during another employee's grievance.

Related Information:

[University of Louisville Redbook, Article 2.3, Section 2.3.2](#)

[The Redbook, Section 5.8](#)

Reasoning:

To promote a culture where staff employees and supervisors may engage in constructive conversations regarding working conditions that convey institutional value to employees and afford employees an opportunity to seek redress for concerns regarding working conditions in the lowest and least formal means possible.

Definitions:

1. Examples of Grievable Actions:

A. Working Conditions.

B. Written Warnings.

C. Suspension without Pay (in lieu of appeal).

D. Unsatisfactory (Needs Improvement) Performance Evaluation.

E. Inconsistent or improper application of University policy or procedure.

2. Examples of Non-Grievable Actions:

A. Organization and definition of work (e.g. job descriptions, assignment of supervisor or unit, work location, working hours).

B. Performance Expectations (unless alleged to be arbitrary, capricious, or not reasonably attainable).

C. Clarification of expectations or non-disciplinary letters of instruction.

D. Position Classification, Salary, Grade, or Salary within Grade.

E. Complaints alleging discrimination or a bias incident, as defined by applicable law, and as governed by the University's Reports of Bias Incidents, Discrimination, and Harassment Policy.

3. First Line Supervisor: The employee's immediate supervisor.

4. Second Line Supervisor: The immediate supervisor of the employee's supervisor.

5. Temporary Employee: A person employed in a position that is established for a limited period of time not to exceed six months.

6. Workday: Those days, Monday through Friday, on which the university is in normal operation.

<http://louisville.edu/hr/policies/definitions>

Responsibilities:

Roles of University and Employee Representatives

HR Representative

To assist in resolving an employee's grievance, the resources and consultation available from the Human Resources department must be made available to all parties, on request, including the Staff Grievance Committee. In all instances, the role of an HR representative is to provide advice and counsel regarding university policy, permissible and advisable courses of action, and process questions. HR representatives may not serve as an advocate or personal advisor of either party during grievance processes, but must be neutral and non-deliberative with respect to grievance issues. If policies are in question, the HR representative shall be the sole authority to advise the committee on staff personnel policies.

Staff Grievance Officer

As provided in The Redbook (at Section 5.8.2), the Staff Grievance Officer is available to advise staff employees on grievance and disciplinary processes, to include helping an employee prepare for a grievance committee hearing. While the Redbook prohibits the Staff Grievance Officer from serving as a personal representative or advocate for the employee in a grievance process, if requested by the employee, the Staff Grievance Officer may serve as the employee's "personal advisor" as noted in this section, upon the employee's request.

Personal Advisors

At any time during the grievance process, an employee or supervisor may be accompanied by a personal advisor. The role of a personal advisor shall be to provide private advice to the employee or supervisor during proceedings. The personal advisor may not take an active part in the proceeding or speak to the committee on the employee's or supervisor's behalf. [Note: If the personal advisor is a staff employee of the university, management shall provide regular work time for

the purpose of participating in the grievance committee hearing. Preparation time, if any, shall occur on the employee's and the personal advisor's own time.]

Informal/Alternative Dispute Resolution Processes, Mediation Services

Human Resources Office staff, staff in the Ombuds Office, or the Staff Grievance Officer shall be available to assist either employees or managers by providing information related to grievance processes and to assist employees and supervisors or managers in achieving a mutually agreeable resolution to a presenting grievance in the most informal manner possible. HR staff, Ombuds staff, and the Staff Grievance Officer shall serve as "honest brokers" with no vested interest in the specific outcome of a grievance other than to promote the mutually agreeable resolution of a grievance between the parties. Neither HR staff, Ombuds staff, nor the Staff Grievance Officer shall serve as an advocate on behalf of either the employee grievant or management respondent to a grievance. [See Procedures section, **Alternative Dispute Resolution/Mediation Services**].

Grievance Authority

The authority to make a final administrative decision with respect to an employee grievance is exercised by the employee's department head or director, provided such individual serves at least three levels above the employee, otherwise the next higher level in the chain of command above the level of department head or director; otherwise the employee's vice president or dean (provided such individual serves at least two levels above the employee). The grievance authority for employees who report directly to a vice president, dean, or executive vice president will be the executive vice president (although this will reduce the number of steps in the grievance process).