

<p><b>CAMPUS POLICY</b></p>  <p><b>UNIVERSITY OF COLORADO at COLORADO SPRINGS</b></p>	<p><b>POLICY NUMBER:</b> 300-004</p>	<p><b>PAGE NUMBER:</b> 1 of 4</p>
	<p><b>CHAPTER:</b> 300 Human Resources</p>	
	<p><b>SUBJECT:</b> Classified Staff Grievance Policy</p>	
	<p><b>EFFECTIVE DATE:</b> January 18, 2005</p>	
<p>OPR: Human Resources</p> <p>VC: VCAF</p>	<p><b>SUPERSESION:</b> November 18, 2002,  Approved by Pamela Shockley-Zalabak, Chancellor, on January 18, 2005</p>	

I. POLICY:

- A. A formal grievance may be initiated by any permanent classified employee who is aggrieved by any action, not otherwise appeal able to the State Personnel Board.

II. AUTHORITY FOR CAMPUS POLICIES:

- A. Colorado Revised Statute 24-50-123
- B. State Personnel Board Rules and Directors Procedures R-8-8

III. PURPOSE:

The grievance policy is designed to address and resolve problems when the matter cannot be resolved by informal discussion with the employee's immediate supervisor.

IV. DEFINITIONS:

- A. A formal grievance may be initiated by any permanent classified employee who is aggrieved by any action, not otherwise appeal able to the State Personnel Board. Issues pertaining to leave sharing, discretionary pay differentials, performance evaluations and any of its components that do not result in corrective or disciplinary action are not grievable or appeal able.

V. PROCEDURE:

- A. The grievance process is designed to address and resolve problems when the matter cannot be resolved by informal discussion with the employee's immediate supervisor. Grievances include, but are not limited to such matters as corrective actions, employee/supervisor relationships, duty assignments not affecting job classification, shift assignments, job location, working facilities and conditions, policies for granting leave, and other similar matters.
- B. An employee must initiate the grievance within 10 calendar days of the action or occurrence being grieved; or within 10 calendar days after the employee has knowledge of, or reasonably should have knowledge of, the action or occurrence. To initiate the grievance process, the employee must notify the immediate

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supervisor to request a meeting to discuss the grievance. At that meeting, an informal discussion will be held to attempt to resolve the grievance. Within 7 calendar days after that discussion, the employee must be informed in writing, by the immediate supervisor, of the decision. If a timely decision is not issued, the employee may proceed to the next stage of the process.

- C. The decision reached at the informal meeting shall be binding on all parties, unless the employee elects to proceed to the formal written process. The employee has 5 calendar days after receipt of the informal decision to initiate the formal process by putting the grievance in writing, using either the attached form or a written narrative containing the required information, and submitting it to the UCCS Personnel Director, who will notify and forward the grievance to the appropriate appointing authority, and track the process to assure timely conclusion. The final campus decision will be issued by the appointing authority.
- D. Only the issues set forth in the written grievance shall be considered thereafter. The process is completed upon issuance of the final agency decision, which must be in writing and issued within 30 calendar days of the initiation of the grievance process. Any of the time frames for completion of the process may be waived or modified if agreed to by both parties. The final decision is binding unless the employee pursues it to the State Personnel Board. If a final decision is not issued in a timely manner, the employee may pursue the grievance to the State Personnel Board.
- E. The employee has 10 calendar days to file a petition for hearing with the State Personnel Board after receipt of the final agency decision, or after expiration of 30 calendar days or any extension period. The original written grievance and the agency's final decision should be attached to the petition for hearing. A copy must be provided to the person who made the agency's final decision.
- F. An employee may be represented by any person of the employee's choice at any step(s) of the grievance process. That person may participate and speak for the employee. The employee is expected to participate in the discussion during the grievance process.
- G. Alternative Dispute Resolution - At the option of either party, a mediation program of the parties' choice may be used in an attempt to resolve disputes. If a grievance is also involved, the other party must participate and time limits are suspended pending the outcome or discontinuance of mediation. Parties participating shall have authority to settle disputes at the time of mediation.
- H. Mediation is private, confidential, and privileged. It is conducted by a trained, unbiased facilitator who assists the parties in clarifying and understanding their different points of view, identifying common ground, generating and evaluating alternatives, and reaching a mutually acceptable resolution. Mediator notes are confidential and must be destroyed after mediation. The mediator cannot be

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contacted for information or called as a witness in other later proceedings. Communication during mediation is not discoverable or admissible, except for information that is required to be reported under a specific law. The costs associated with the use of a mediator are to be borne equally by the parties, unless otherwise agreed to between the parties prior to the commencement of the mediation process.

- I. Both parties shall review any agreement before signing it. If the agency fails to comply with the terms of the agreement, a grievance may be filed. If the employee fails to comply with the terms of the agreement, such action may be subject to performance evaluation, corrective or disciplinary action.
- J. Allegations of Discrimination – If the employee alleges discrimination as defined by Rule R-9-3\*, in addition to initiating the grievance, the employee must also file the grievance with the State Personnel Board at:

State Personnel Board  
The Chancery Building  
1120 Lincoln St., Suite 1420  
Denver, Colorado 80203

The Board will defer action to allow the parties a chance to resolve the issue. If not resolved, the employee may file a petition for hearing within 10 calendar days of receipt of the grievance decision.

\*R-9-3 states: “Discrimination against any person is prohibited because of race, creed, color, gender (including sexual harassment), sexual orientation, national origin, age, religion, political affiliation, organizational membership, veteran’s status, disability, or other non-job related factor. This applies to all employment decisions, including, but not limited to, those covered by C.R.S. 24-34-402.”

- VI. RESPONSIBILITY: The Personnel Department is responsible for implementing the provisions of this policy.
- VII. HISTORY:
- VIII. ATTACHMENTS:
  - 1. Grievance Form

**UCCS EMPLOYEE GRIEVANCE FORM**

NOTICE: DO NOT USE THIS FORM IF YOU HAVE: RECEIVED A DISCIPLINARY ACTION, BEEN LAID OFF, OR ADMINISTRATIVELY TERMINATED. USE THE STANDARD APPEALS FORM.

NOTE: If the grievance involves an allegation of discrimination, written notice must be sent to the State Personnel Board, The Chancery Building, 1120 Lincoln St., Suite 1420, Denver, Colorado 80203, within ten (10) calendar days of the alleged discriminatory practice.

Print or type. Keep a copy of the completed grievance form for yourself. Refer to the UCCS Classified Employee Grievance Policy for information regarding the grievance policy.

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Department: \_\_\_\_\_  
Immediate Supervisor: \_\_\_\_\_  
Date of Informal Discussion with Immediate Supervisor: \_\_\_\_\_  
Date of Written Response from Immediate Supervisor: \_\_\_\_\_

STATEMENT OF GRIEVANCE:

RELIEF REQUESTED:

DISCRIMINATION ALLEGED:  YES  NO.  
TYPE OF DISCRIMINATION ALLEGED (e.g. race, national origin, sex, age, religion):

\_\_\_\_\_  
Grievant's Signature: Date

If you would like to resolve this grievance on an informal basis, with the help of a trained facilitator from outside your agency, contact the UCCS Personnel Director, or call the State Employees Mediation Program (SEMP) at (303) 866-2153 for this assistance.