

Southeast Arkansas College

Employee Grievance Policy and Procedures

Definition of Grievance

A grievance is a complaint by an employee regarding an aspect of his or her employment. Grievances may include, but are not limited to; annual leave, sick leave, compensatory time, promotion, discrimination, disciplinary actions, suspension, demotion, and termination.

Compensation is not a proper subject for a grievance. Similarly, conditions that are beyond the control of College management or are mandated by law shall not be grounds for a grievance. Performance evaluation concerns, including ratings, as well as complaint concerning reduction-in-force actions are not subject to the grievance policy unless the dispute is based on a charge of discrimination. Discrimination is an action taken based upon race, color, sex, age, national origin, religion, or disability.

Other matters not subject the grievance policy include, but are not limited to, advice and/or counseling provided by the EEO Officer; approved Board of Trustee policies, Administrative Bulletins, Memoranda, or State departmental policies; matters governed by law, regulation, and/or executive order which are outside the College's control; and work or teaching assignments, including assignments or reassignments to other units, departments or divisions.

The grievance procedure is intended to encourage employees to discuss work-related issues with their supervisors, providing opportunities to explain concerns, reach agreement, make adjustments where necessary, and foster better understanding between employees and supervisors.

The employee is allowed representation by a person of his/her own choosing at each step, except in the initial informal discussion with his/her supervisor. No employee shall be disciplined or otherwise prejudiced in their employment for utilizing the College's grievance procedures.

Initiation of Grievance Procedures

Any grievance will be handled in accordance with the procedures described in this document. Any employee has the opportunity at any time within five (5) working days of the event or circumstance of concern to present a grievance. This process will only address the initial grievance and changes may not be made to the original Grievance Form once submitted to the Grievance Officer or his/her designee. At any step, the meetings may be recorded with disclosure to all parties.

The Grievance Office is hereby designated as the Director of Human Resources located in Business Services.

Step One (Supervisor-Oral)

Any employee may present a grievance orally to his/her immediate supervisor without the use of the Grievance Form. If the supervisor's oral response is not given within 48 hours of this communication or if the supervisor's response to the complaint is not satisfactory, then the employee may proceed to Step Two.

Step Two (Supervisor-Written)

If the circumstances described in Step One occur, the employee can fill out a Grievance Form and present it to the Grievance Officer within 48 hours of initially presenting their complaint to their supervisor. This delivery must be on paper and in person. The Grievance Officer will deliver a copy of the Grievance Form to the supervisor. The supervisor and the employee will meet within three (3) workdays to attempt to reconcile the grievance. The Grievance Reply Form the supervisor and the employee to respond to the grievance. Upon completion, the Grievance Reply Form must be delivered to the Grievance Officer by the supervisor in person no later than the end of the third workday after the date of the original Grievance Form. If the grievance is not reconciled, the Grievance Form and the Grievance Reply Form will be delivered to the departmental Vice-President by the Grievance Officer in person. If the supervisor is the departmental Vice-President, this will preclude Step Three and move directly to Step Four.

Step Three (Departmental Vice-President)

The departmental Vice-President will meet with both parties to attempt reconciliation of the grievance within three (3) workdays from the completion of Step Two. The Vice-President and employee will meet and respond to the grievance using the Grievance Reply Form. The Vice-President will then deliver the Grievance Reply Form to the Grievance Officer in person. In the event the employee is dissatisfied with the decision of the Vice-President, the Grievance Officer will deliver a copy of the Grievance Form and the Grievance Reply forms to the President in person.

Step Four (President)

The President and the employee will meet within three (3) workdays to attempt reconciliation of the grievance. The President and employee will respond to the grievance using the Grievance Reply Form. In lieu of meeting with the employee, the President may choose to submit the employee's grievance to the Executive Cabinet. The Executive Cabinet will respond to the President within three (3) workdays. After that, within three (3) workdays the President may accept, reject or modify any recommendation from the Executive Cabinet. The President will reply to the grievance using the Grievance Reply Form. The decision rendered on the Grievance Reply Form by the President will be the final position of the College on the grievance.

Southeast Arkansas College Grievance Form

This form is to be used by the employee to initiate a formal grievance. The employee must deliver the completed grievance form in person to the Grievance Office (see Employee Grievance Policy and Procedure) within the timeframe indicated. This form must be filled in completely and will serve, without amendment, as the source document for the grievance process. All supporting documentation must be attached to this grievance form.

Employee's Name _____
Position Title _____
Employee's Work Location _____

Grievance Statement

For a formal grievance to be processed, the following five items must be addressed:

1. What was the date of the occurrence and what specific behavior, condition, or violation of policy or procedure occurred which you considered constitutes a grievance?

2. Attach any document(s) and/or list of witnesses, a description of their involvement, and their contact information so that relevancy to the grievance can be determined.

3. How have you been adversely affected by the grievance?

4. What specific actions have you taken to reconcile and improve this situation, including discussing it with your immediate supervisor? What has been the outcome of these efforts?

5. What specific action(s) are you requesting?

Employee's Signature _____ Date _____

Southeast Arkansas College Grievance Reply Form

Respondent's Name _____

Respondent's Title _____

Employee's Name _____

Date of Employee's Grievance Form _____

In the space below, what reply is given to the employee's grievance (attach separate sheets, if necessary):

Respondent's Signature _____ Date _____

Employee's Response:

_____ I accept the answer to my grievance

_____ I do not accept the answer to my grievance and request it be advance to the next step

Note: Explain fully why you do not accept the above response/decision (attach separate sheets, if necessary).

Employee's Signature _____ Date _____