



POLICY STATEMENT 80 GRIEVANCE PROCEDURES FOR UNCLASSIFIED, CLASSIFIED, AND OTHER ACADEMIC EMPLOYEES

POLICY DIGEST

Monitoring Unit: Office of Human Resource Management
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I. PURPOSE

To establish a procedure for the resolution of grievances for unclassified employees, those employees designated as "other academic," and classified employees.

II. DEFINITIONS

Classified Employee: those employees covered by the provisions of the State Civil Service. Also referred to as "Civil Service" employees.

Other Academic: refers to part-time members of the academic staff and full-time members of the instructional staff below the rank of instructor, or equivalent. It includes employees with academic responsibilities who do not hold faculty rank. (See Regulations of the Board of Supervisors Article II. Sec. I.A.1.b.)

Unclassified Employee: refers to administrative officers and staff as well as all employees exempt from the classified service.

III. GENERAL POLICY

An unclassified, other academic, or classified employee who seeks a solution concerning issues arising from working conditions, employment practices, and interpretation of policy and/or procedure may file a grievance pursuant to this policy statement. This policy does not apply to faculty. Employees who feel they are being discriminated against because of race, color, sex, ethnic origin, religion, age, creed, marital status, veteran's status, disability or sexual orientation have a right to file a complaint in accordance with the Policy Statement on Equal Opportunity (PS 1) or Sexual Harassment (PM 73). Any University official receiving a grievance alleging discrimination must refer the matter to the Office of Engagement, Civil Rights & Title IX (ICRTIX). Should an employee file a grievance alleging discrimination pursuant to this policy and a complaint with HRM, or if the PS 80 complaint is received by HRM, the matters will be consolidated for review as a complaint by ICRTIX. Such complaints will initially be reviewed in accordance with PS 1.

While the University recognizes the employee's right to file a grievance, the employee is strongly encouraged to discuss their concerns with the immediate supervisor and/or department head before

filing a grievance. Many issues can be resolved informally at the supervisory level without the need for a formal grievance.

IV. ISSUES WHICH ARE NOT GRIEVABLE

The following actions are not grievable under this policy:

- A. Termination, non-renewal of contract or appointment or layoff.
- B. Actions within the exclusive jurisdiction of the state Civil Service Commission such as actions which impact pay, or pay issues, suspension with or without pay, reduction in pay, denial of merit increase, demotion, or position classification. Such matters shall follow any applicable Civil Service rules.
- C. Disciplinary action taken in accordance with the University's Positive Discipline System (See PS 8). Classified employees must follow the provisions outlined in the University's policy statement on discipline (PS 8).
- D. Performance evaluations (unclassified and other academic employees may submit a rebuttal to HRM if they disagree with their rating in accordance with PS 35. Classified employees may appeal their performance rating in accordance with the procedures outlined in PS 39).
- E. Non-selection for a position. See PS 1 for applicable complaint procedures as it relates to Equal Employment Opportunity.

V. STEPS IN THE GRIEVANCE PROCEDURE

- A. Step 1: The employee must present the written grievance to their department head within five working days of the date of the alleged grievable act. Any complaint alleging discrimination shall be referred to Office of Engagement, Civil Rights & Title IX for review in accordance with PS 1.
 - 1. The department head may meet with the employee and shall respond in five working days after receipt of the grievance.
- B. Step 2: If the employee is not satisfied with the decision at Step 1 of the grievance procedure, the employee may appeal in writing to HRM within five working days after the receipt of the response from the department head. The second step appeal must state why the employee disagrees with or rejects the Step 1 decision and the department head shall be provided a copy of this appeal by HRM.

An HRM representative will contact the employee as soon as possible, but no later than seven working days after receipt of the appeal, to schedule a hearing of the grievance.

The HRM representative will notify the grievant and the grievant's department head of the decision within five working days following the date of the hearing. A grievance alleging discrimination will be reviewed by Office of Engagement, Civil Rights & Title IX pursuant to PS 1 and/or PM 73.
- C. Step 3: If the employee is not satisfied with the decision at Step 2 of the grievance procedure, the grievant may appeal in writing to the Office of the President within five working days after

receipt of the HRM decision. The Step 3 appeal must include the reasons why the employee disagrees with the Step 2 decision.

After reviewing the grievance file, the President or their designee, within 10 working days after receipt of the appeal, will make a decision about the appeal. Notice of the decision will be given to the employee, HRM, and the department head.

VI. FORM

Copies of the official form are available from the HRM office or via the HRM website. The form is to be used by all employees filing a grievance pursuant to this policy (See Appendix I).

VII. TIME LIMITS

Time limits set out in this policy must be followed. Failure to adhere to the time limits will result in the employee waiving all rights under the grievance procedure for the issue(s) raised in the grievance. Failure of the department head or HRM to adhere to the time limits or provide notice in writing of additional time needed to respond to the employee will authorize the grievant to move to the next step of the grievance procedure. However, the time limits described in this policy may be suspended, extended, or altered by the President or their designee.

VIII. EMPLOYEE ADVISOR

Employees will have the right to have an LSU advisor of their choice present at each step of the grievance procedure. The advisor selected to represent the employee will, at such times as approved by the advisor's supervisor, be granted the necessary time off without loss of pay and without charge to annual or compensatory pay during work hours to represent that grievant. However, the time needed by the grievant and/or their advisor to prepare for any step of the grievance should be done on the employee's time off or while in work status with supervisory approval.

IX. UNION MEMBERS

Employees covered by a union agreement are covered by any grievance procedure outlined in the union agreement.

X. RETALIATION

No employee may take reprisal action against an employee who uses the grievance procedure, serves as an advisor, or participates in any way (e.g., witness) in the grievance process. Any employee violating this prohibition against retaliation is subject to disciplinary action up to and including termination. Additionally, no LSU official may use their position to attempt to improperly influence the grievance process.

XI. SUMMARY DISPOSITION OF A GRIEVANCE

A grievance which does not present a grievable issue or which is subject to summary disposition pursuant to Civil Service guidelines or which is untimely may be summarily dismissed. A request for summary dismissal must be approved by the President or their designee. All parties to the grievance will be notified in writing.

XII. Appendix

Click [here](#) to access the form