UIC HR POLICIES AND PROCEDURES

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1101

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SUBJECT	EFFECTIVE	REVISED
UIC Academic Professional Complaint Resolution Procedure **(Not for Complaints of Discrimination)**	11/18/08	9/2013

ISSUED BY	APPROVED BY
Assistant Vice President for Human Resources	Chancellor

PURPOSE

This policy and procedure is to clarify the process for Academic Professional employees to report and resolve grievances and to establish responsibility and authority for administration review and grievance resolution.

SOURCES AND BACKGROUND

University of Illinois Statutes
University Academic Grievance Process, Executive Notice 89-2, March 1989, as amended

APPLICABILITY

All Academic Professional ("AP") employee grievances except those alleging complaints of discrimination (which follow UIC HR Policy and Procedure 1104) and the situations exempted at Appendix A below.

POLICY

This policy and procedure is to ensure effective process for APs to grieve a decision made about their employment by an agent of the University in the course of employment when APs believe the decision is unfair, inappropriate or inconsistent with University policies in connection with professional matters. This policy and procedure is intended to encourage informal means of resolving a complaint and to provide a process for prompt and fair resolution of workplace issues for APs. APs who participate in the grievance process and who use the procedure as a legitimate dispute resolution mechanism may not be subject to discipline or reprisal solely because of such participation or use. Nothing contained in this policy and procedure shall be construed to prevent APs from discussing a complaint or issue directly with their supervisor.

PROCEDURES

When APs cannot resolve issues or complaints with a supervisor or through other informal methods such as UIC Dispute Resolution Services, APs may pursue a formal grievance following the timelines and process outlined below.

Grievance Definition: A grievance is a written statement filed by an AP at the University of Illinois at Chicago, or one of its sites which administratively report to the Chicago campus, seeking resolution of a claim by the individual AP regarding a specific management decision which is alleged to have adversely affected the AP's existing terms or conditions of employment or a claim that an individual AP was adversely affected by a management decision that violated University policy, as long as such claims are not excluded in Appendix A.

Time Limits: Failure to file a grievance within forty-five (45) calendar days from the date of the occurrence on which the grievance is based, or from when the occurrence should reasonably have been discovered, shall constitute a waiver of the grievance. Failure to appeal a grievance from one level to another within the time periods hereafter provided shall constitute a waiver of the grievance. If the administration fails to respond to a grievance within the applicable time limit, the grievant may appeal the grievance to the next level. By mutual agreement, the parties may extend in writing any and all time limits.

Adjustment of Grievances

Level 1: If an AP's complaint is not resolved through informal methods, the AP shall have forty-five (45) calendar days from the date of the occurrence on which the grievance is based, or from when the occurrence should reasonably have been discovered, to file a written grievance with the AP's immediate supervisor. The written grievance shall contain the following information: a specific description of the dispute, the facts giving rise to the dispute, a listing of the policies or conduct alleged to have been violated, a statement as to how the policy or conduct was violated, the date(s) of the alleged violation, and requested remedy. The supervisor shall meet with the grievant and give a written decision on the grievance to the grievant within fourteen (14) calendar days after receipt of the written grievance or within fourteen (14) calendar days of the meeting if one is held, whichever is later.

Level 2: In the event the grievance is not resolved in Level 1, the decision rendered may be appealed to the Dean of the College in which the AP is appointed or equivalent administrator or executive officer to whom the AP's supervisor reports provided such appeal is made in writing within fourteen (14) calendar days after receipt of the decision in Level 1. If a grievance has been appealed, the Dean or equivalent, or designee, may meet to discuss the grievance. Within fourteen (14) calendar days after receipt of the appeal or within fourteen (14) calendar days after the meeting, whichever is later, the Dean or designee shall issue a decision to the grievant.

Level 3: In the event the grievance is not resolved in Level 2, the decision may be appealed to the Assistant Vice President for Human Resources, provided such appeal is made in writing within fourteen (14) calendar days after receipt of the decision in Level 2. If a grievance has been appealed to Level 3, as described above, the Assistant Vice President for Human Resources or designee shall meet to hear the grievance within 21 days of the grievance appeal being delivered to the office of the Assistant Vice President for Human Resources. Within twenty-one (21) calendar days after the meeting, the Assistant Vice President for Human Resources or designee shall issue a decision in writing to the parties involved. The Level 3 decision is final and not appealable.

Expenses and Representation: Any expenses incurred, including costs of a representative, shall be paid by the party incurring the same. Additionally, APs may be accompanied by a personal advisor at any formal meeting in the grievance procedure, provided the representative may be present to offer advice to the grievant but may not otherwise actively participate in hearings or meetings under this

policy, unless given prior approval. If an AP is represented by an attorney under this procedure, the administrative unit and the individual serving as the hearing officer may seek advice and representation from the Office of the University Counsel.

APPENDIX A

UIC HR Policy and Procedure 1101, UIC Academic Professional Grievance Procedure, is not to be used: by applicants for employment or employee promotion; by UIC employees who are not APs; by APs who hold appointments of director or equivalent, Vice Chancellors, or any individuals reporting directly to the Chancellor or the President; to grieve a complaint of discrimination under the University of Illinois Guidelines on Grievances Procedures for Complaints of Discrimination (such claims may be brought under UIC HR Policy and Procedure 1104); to grieve non-procedural issues relating to the issuance of a terminal contract; to review an administration decision relating to the allocation of resources to support any unit's projects or programs except for decisions that the grievant alleges to have been made for other than programmatic reasons; to grieve allegations of violations of federal or state laws, statutes or regulations, unless covered by University policy, procedure, statutes, or rules; to grieve issues that are raised in another campus-level or University-level process; or to redress claims when redress has also been sought in any forum external to the University. As set forth in the University of Illinois *Statutes*, this Policy and Procedure, like other employment policies applicable to an Academic Professional employee at the University level, shall govern University Administration employees when UIC is where the employee's principal office is located.