



UNIVERSITY OF
WEST GEORGIA

Last N/A
Approved
Effective N/A
Next Review N/A

Area Employment
(Procedures)
Chief Or Chief Human
Responsible Resources
Office Officer

Staff Grievances and Appeals

Authority for Procedure granted by [UWG PL #4001, Human Resources Administrative Practice and Services](#).

Note: Faculty should refer to the University of West Georgia (UWG) Faculty Handbook Section 107, Dispute Resolution and Grievance procedures. Students should refer to the [Student Handbook](#), which sets forth several methods depending upon the subject matter. Individuals with Title IX/Social Equity complaints should consult [UWG PL #4002 Non-Discrimination and Anti-Harassment](#) and its associated procedures.

A. Statement of Purpose

UWG recognizes the value of constructive dispute resolution, and encourages employees to uphold the institutional values of caring, collaboration and integrity when resolving disputes.

Following the guidance of the [Human Resources Administrative Practice Manual \(HRAP\)](#) Policies on **Grievance** and **Dismissal, Demotions, or Suspensions** a **grievance**, a **Grievance** or disciplinary review will be available to handle claims that a person has been harmed by any action that violates the policies of either the institution or the [Board of Regents](#) (BOR) of the [University System of Georgia](#) (USG).

Important Notes:

- : **Faculty:** Refer to the University of West Georgia (UWG) [Faculty Handbook](#), Section 107, Dispute Resolution and Grievance Procedures.
- : **Students:** Refer to the [Student Handbook](#) for various methods depending on the subject matter.
- : **Title IX/Social Equity Complaints:** Consult [UWG PL #4002 Non-Discrimination and Anti-Harassment](#) and its associated procedures.

B. Eligibility for Grievance

1. **Employee Status.** This **grievance****Grievance** process is available to all UWG Staff who have completed the six -month Provisional Employment Period. *The Staff Grievance Procedure is not available to temporary employees, faculty, students or non-University employees to include*

consultants, contractors, and volunteers.

2. **Employment Actions Included.**

The Staff Grievance Procedure may be used by eligible employees if:

- ~~i. The employee received an official written warning; or~~
- ~~ii. The employee was suspended; or~~
- ~~iii. The employee was discharged; or~~
- ~~iv. The employee was demoted or their salary reduced~~

i. The employee was suspended; or

ii. The employee was discharged; or

iii. The employee was demoted, or their salary was reduced

3. **Employment Actions Not Included.**

This Staff Grievance Procedure may not be used to bring a ~~grievance~~Grievance about the following examples:

- i. promotion and tenure decisions
- ii. performance evaluations;
- iii. hiring decisions
- iv. salary and grade classification determinations
- v. challenges to grade transfers or reassignments
- vi. termination or layoff because of lack of work or elimination of the position
- vii. investigation or decisions reached under the Harassment Policy (see [UWG PL #4002, Non Discrimination and Anti Harrasment](#))
- viii. normal supervisory counseling
- ix. flexible work option(s) decisions
- x. reductions in force
- xi. organization of a department or allocation of its resources;
- xii. termination of grant funding, or
- xiii. non-renewal of a limited term position

C. Office of University Ombuds

The Office of University Ombuds was created to operate informally and independently of the formal organizational structure of the University to resolve concerns, complaints, and questions about University policies, procedures, and practices.

Employees may contact the Office of University Ombuds to discuss Dispute Resolution options. While the Office of the University Ombuds is not part of the Staff Grievance Procedure, consultation with an Ombuds representative to resolve conflict at the lowest level possible is encouraged.

D. Staff Grievance and Appeals Procedure

Eligible employees may file a ~~grievance by contacting~~ Grievance with the Office of Human Resources (er@westga.edu) by completing the Staff Grievance Appeals Form. A ~~grievance~~ Grievance must be filed within 10 business days of the notice of suspension ~~or~~, discharge, demotion, or salary reduction unless there is good cause for delay. Grievances filed after that time must be accompanied by a written explanation for the delay.

~~Upon receiving the grievance statement, the Chief Human Resources Officer (CHRO), or designee, shall provide the grievant with a copy of the formal grievance policy and documents pertaining to grievance hearing procedures. The Hearing Panel will be selected within 10 business days after the written request. The grievant shall be entitled to the procedural protections of a hearing before a Hearing Panel. The hearing may occur before or after the effective date of the personnel decision in question.~~

Within five business days of receipt of the Staff Grievance Appeals Form, it shall be determined if the Grievance meets the eligibility criteria to be allowed to proceed or be dismissed.

1. If the Grievance is dismissed, the CHRO or designee shall notify the Grievant in writing, stating the reason(s) for the dismissal. A dismissal decision is final and not grievable or appealable.
2. If the Grievance is allowed to proceed, the CHRO or designee shall notify the Grievant in writing, providing the Formal Grievance Hearing policy and documentation related to the Grievance hearing process.

The Hearing Panel will be selected within 10 business days of receipt of the Staff Grievance and Appeals Form. The Grievant shall be entitled to the procedural protections of a hearing before a Hearing Panel. The hearing may occur before or after the effective date of the personnel decision in question. (See [HRAP Policy on Grievance](#))

~~This~~ The Formal Grievance Hearing is an evidentiary hearing and shall not be informal and bound by rules of evidence or procedures that apply in proceedings in court. The employee shall not be conducted under strict rules of evidence or procedures applicable to proceedings in the Superior Courts in Georgia entitled to due process throughout the hearing process. The employee shall be entitled to due process during the hearing. The Review Board hearing may occur before or after the effective date of the personnel decision in question. (See [HRAP Policy on Grievance](#))

E. Hearing Procedures

~~If the employee seeks to pursue the grievance further, the Hearing Panel will conduct an informal hearing. The CHRO is authorized to publish additional guidelines outlining hearing procedures in consultation with the Chief Legal Officer. (see Attachment: Grievance Panel Selection and Hearing Guidelines)~~

Within 10 business days of the CHRO or designee of receiving a written request for a formal Grievance hearing, the Hearing Panel will be selected. The Hearing Panel shall conduct an evidentiary hearing. (See Attachment: Staff Grievance Hearing Guidelines)

The CHRO, in consultation with the Chief Legal Officer, are authorized to publish procedures and guidelines supporting the Grievance hearing process. In the event of a conflict between a University Policy or Procedure and a divisional/unit level guideline, the University's Policy or Procedure will control.

F. Presidential Review ~~of the Recommendation of the Review Board of the Hearing Panel~~ Recommendation

The President or their designee may accept, or reject, (in whole or in part) the Hearing Panel's recommendations or require additional information. If the matter is not resolved to the employee's satisfaction, the employee may apply for review, in writing, to the Board of Regents (BOR), within 20 calendar days following the written decision of the President or designee (See BOR Policy Manual 6.26, Application for Discretionary Review).

G. ~~Additional Guidelines~~

~~In the event of a conflict between a University Policy or Procedure and a divisional/unit level guideline, the University's Policy or Procedure will control.~~

Definitions

Dispute Resolution - a means for resolving conflict that avoids the hearing process; for this Procedure, this includes resolution by the Ombuds office and any committee established for this purpose.

Employment Action - decisions that affect an employee's working conditions.

Grievance - a complaint by an employee(s) regarding suspension, discharge, demotion, or salary reduction.

Grievant - Employee filing the grievance.

Hearing Panel - staff employees selected to hear and preside over a formal grievance hearing. The panel shall comprise four individuals, with one designated as the Presiding Officer and one serving as the alternate.

Provisional Employment Period - except for certain public safety employees, all eligible employees are required to serve the first six months of employment on a provisional basis to provide the employer an opportunity to evaluate the employee's performance; Provisional Employees are not entitled to aggrieved separation during this period.

Guidelines/Related material

Human Resources Administrative Practice Manual (HRAP), ~~Policy on Grievance AND Dismissal, Demotions, or Suspensions.~~

Complaints and Appeals

- : [BOR Policy Manual 6.26, Application for Discretionary Review](#)
- : [Human Resources Administrative Practice Manual \(HRAP\)](#)
 - [Grievance Policy](#)
 - [Dismissal, Demotions, or Suspensions](#)
- : [Complaints and Appeals webpage](#)

Approval Signatures

Step Description

Approver

Date