



XAVIER UNIVERSITY

Grievance and Appeals

Effective: April 30, 2008

Last Updated: April 30, 2008

Last Reviewed: March 29, 2023

Responsible University Office: Human Resources

Responsible Executive: Associate Vice President for Human Resources

Scope: All University Employees

A. REASON FOR POLICY

Xavier University recognizes that problems will arise in the workplace that are, at times, difficult for an employee to resolve. If these concerns are not adequately addressed, they may evolve into much greater problems that can become increasingly more difficult to alleviate.

B. POLICY

Normally questions or complaints should be handled informally by the immediate supervisor. Some complaints may involve a judgment by the employee that the supervisor/University has acted outside Xavier University policy or the law. Depending upon the severity of the issue, steps in the grievance procedure may be omitted. Such complaints or grievances are handled under the following procedures outlined as follows.

NOTE: The University also has a Harassment Code and Accountability Procedure which can be accessed or viewed at <https://www.xavier.edu/hr/documents/policies/xavier-harassment-code-and-accountability-procedures-10-2014.pdf>

C. PROCEDURE

Step I: An employee who believes he/she has a grievance must first discuss the problems with his/her immediate supervisor within five working days after the grievable incident or the grievant's knowledge of the incident. The supervisor shall provide an answer within five working days of the initial discussion. Extensions of the time frames in this and other steps may be amended only by mutual consent. Every effort should be made to resolve the grievance at this Step. It is the responsibility of both parties to document that this meeting took place.

Step II: If the grievance is not resolved as a result of Step I, the employee must put the grievance in writing, using the form (**see page 4 of this Policy for Grievance Form**) in consultation with the Office of Human Resources, and request an interview with the supervisor within three working days of receiving the supervisor's response. Copies of the grievance (including the remedy sought and the supervisor's response) should also be provided to the supervisor and the Office of Human Resources. The supervisor must respond by setting up a meeting within five working days of receiving the written documents. Any evidence or witnesses to the alleged complaint must be presented by the parties at this meeting. Witnesses are to understand that their involvement is voluntary and cannot be used for disciplinary purposes at a later date. If the supervisor and divisional leader are the same person, the Office of Human Resources should be approached to intercede at this Step. The supervisor must respond in writing within five working days of the meeting. Copies of his/her response should go to the Office of Human Resources, the grievant and the supervisor.

Step III: If the grievance is not resolved at Steps I and II, the grievant must file a written request for consideration with the Office of Human Resources within five working days of receiving the supervisor's determination. The Office of Human Resources must set up a meeting with both parties within five working days of receipt of the request and must inform the divisional leader of the meeting time. The Office of Human Resources will chair the meeting and direct its course. Within five working days of the meeting, the Office of Human Resources must send a written recommendation to the divisional leader. Questions should be directed to the Office of Human Resources. The divisional leader must respond within five working days of receiving the Office of Human Resources recommendation. Copies of the response should go to both parties and the Office of Human Resources.

Step IV: If the grievance is not resolved as a result of Step III, the grievant must inform the Office of Human Resources, in writing, within five working days of receipt of the divisional leader's determination. The President's designee will convene a Grievance Committee comprised of 2 faculty members, 1 administrative staff, and 2 support staff. The committee will set up a hearing within three weeks of the request, or at a time that permits all relevant parties to

attend. The Hearing should be held at a neutral site on campus. Each party will have the opportunity to present its case through evidence and witnesses and question the evidence and witnesses of the other party.

Confidentiality among the committee members and all persons involved in the procedure shall be maintained. The Office of Human Resources will serve as staff to the committee.

The deliberations of the committee upon conclusion of the meeting will also be confidential. A recommendation should be made to the President, or his designee, within a week of the hearing. The President's designee will inform all parties involved of the final decision within five working days of receiving the Committee's recommendation.

It is understood that either party may elect to have a support person present throughout the procedure. However, the parties must speak for themselves unless that is deemed impossible. In addition, failure of the introductory period is not considered grievable.

Other applicable policies and/or resources:

The Introductory Period
Progressive Discipline Policy