

# Grievance

## Employees – Exempt Employee Code

### CWU Policy 305-37

**Effective:** February 19, 2020

**Policy Review Date:** YEAR

**Policy Executive:** Senior Vice President – Finance and Administration

**Responsible Office/Unit:** Human Resources

#### **Policy Statement:**

#### **Applicability:**

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#### **Content:**

- Appendix A - Definition and General Information
  - Appendix B – Grievance Hearing Procedure
  - Appendix C – President / Designee Review Procedure
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**(1)** A request for an informal meeting must be submitted to the appointing authority/designee within five (5) working days of the time the alleged violation took place or was discovered by the grievant(s) with a copy to human resources. University officials shall make every effort to be available for such meetings. It shall be incumbent on all parties to the discussion to avoid unnecessary delays and to attempt to resolve differences expeditiously. Human resources will work with the parties to assist in resolving the differences.

#### **(2) Hearing:**

- A. The petition shall set forth in writing and in detail the nature of the grievance, shall state against whom the complaint is directed, and the relief sought. The petition must be filed within ten (10) working days of the end of the informal discussion See Appendix B(4)
- B. Within ten (10) working days after receipt of the petition for a hearing, the chief human resource officer/designee shall appoint a grievance committee of three persons. An effort should be made to select individuals who are mutually acceptable to both sides and normally the people selected will be exempt employees, although, in some instances, it may be deemed appropriate to use other university employees. Employees who are members of the same department as the concerned parties shall not be appointed to the grievance committee. A person selected for the grievance committee shall decline to serve if the employee deems themselves biased or personally interested in the outcome.

- C. The committee shall meet as soon as possible after their selection to select a chair, determine a schedule, and make such other organizational decisions as may be needed. The grievance committee will investigate the grievance and attempt to resolve the issue. If, in the opinion of the grievance committee following an investigation, a resolution is not possible, the committee shall decide whether or not the facts merit a hearing. The committee's decision for a hearing shall be issued within ten (10) working days of the appointment of the committee.
- D. In the event the grievance committee decides to hold a hearing, the chair of the committee shall notify the parties in writing as soon as possible after the committee's decision and the hearing shall be held not less than ten (10) working days from the mailing of the notice, unless all of the parties with the consent of the chair, agree to shorten or lengthen the time to more or less than ten (10) working days.
- E. The parties and any others the grievance committee deems necessary to the proceedings shall make themselves available to appear at the hearing unless they can verify to the committee that their absence is unavoidable. The aggrieved shall be permitted to have an employee to act as advisor.
- F. Hearings will be closed to all except those persons directly involved in the case. Statements and other information given at the hearing shall be confidential and shall not be released to anyone unless required by statute or regulation.
- G. The grievance committee shall file its recommendations with the chief human resource officer within ten (10) working days after the conclusion of the hearing. Within ten (10) working days of the receipt of the recommendations, the chief human resource officer shall inform all parties to the case of the decision. This action shall constitute notice of the final decision in the hearing procedure.

### **(3) President/Designee Review:**

- A. Employee(s) may file for a review of the decision to the president/designee. Such review shall be filed within ten (10) working days of receipt of the decision. Failure to file for a review within the ten (10) days shall be treated as a waiver by the grievant and the decision shall be final. The president/designee will normally respond in writing within twenty (20) working days of the request to review the decision. The president/designee review shall be final for the university.

### **History:**

*EEAGB: 4/7/08; BOT: 6/6/08; BOT: 2/09; BOT: 6/09; Responsibility: EEA Governing Board/Chief of Staff;  
Authority: President's Office; Reviewed/Endorsed Cabinet/PAC; Review/Effective Date 09/05/2012; 02/19/2020;  
Approved by: James L. Gaudino, President  
Reformatted and Assigned new Policy Number - Previous Policy CWUP 6-80-010, June 2025  
Attached Procedure CWUR 6-80-010 as Appendix A, CWUR 6-80-020 as Appendix B, and CWUR 6-80-030 as  
Appendix C, June 2025*

## Appendix A - Definition and General Information

- (1) A request for an informal meeting must be submitted to the appointing authority/designee within five (5) working days of the time the alleged violation took place or was discovered by the grievant(s) with a copy to Human Resources. University officials shall make every effort to be available for such meetings. It shall be incumbent on all parties to the discussion to avoid unnecessary delays and to attempt to resolve differences expeditiously. Human Resources will work with the parties to assist in resolving the differences.

## Appendix B - Grievance Hearing Procedure

- (1) The petition shall set forth in writing and in detail the nature of the grievance, shall state against whom the complaint is directed, and the relief sought. The petition must be filed within ten (10) working days of the end of the informal discussion.
  
- (2) Within ten (10) working days after receipt of the petition for a hearing, the Chief Human Resource Officer / designee shall appoint a grievance committee of three persons. An effort should be made to select individuals who are mutually acceptable to both sides and normally the people selected will be exempt employees, although, in some instances, it may be deemed appropriate to use other university employees. Employees who are members of the same department as the concerned parties shall not be appointed to the grievance committee. A person selected for the grievance committee shall decline to serve if the employee deems themselves biased or personally interested in the outcome.
  
- (3) The committee shall meet as soon as possible after their selection to select a chair, determine a schedule, and make such other organizational decisions as may be needed. The grievance committee will investigate the grievance and attempt to resolve the issue. If, in the opinion of the grievance committee following an investigation, a resolution is not possible, the committee shall decide whether or not the facts merit a hearing. The committee's decision for a hearing shall be issued within ten (10) working days of the appointment of the committee.
  
- (4) In the event the grievance committee decides to hold a hearing, the chair of the committee shall notify the parties in writing as soon as possible after the committee's decision and the hearing shall be held not less than ten (10) working days from the mailing of the notice, unless all of the parties with the consent of the chair, agree to shorten or lengthen the time to more or less than ten (10) working days.
  
- (5) The parties and any others the grievance committee deems necessary to the proceedings shall make themselves available to appear at the hearing unless they can verify to the committee that their absence is unavoidable. The aggrieved shall be permitted to have an employee to act as advisor.
  
- (6) Hearings will be closed to all except those persons directly involved in the case. Statements and other information given at the hearing shall be confidential and shall not be released to anyone unless required by statute or regulation.
  
- (7) The grievance committee shall file its recommendations with the Chief Human Resource Officer within ten (10) working days after the conclusion of the hearing. Within ten (10) working days of the receipt of the recommendations the Chief Human Resource Officer shall inform all parties to the case of the decision. This action shall constitute notice of the final decision in the hearing procedure.

## Appendix C - President / Designee Review Procedure

- (1) Employee(s) may file for a review of the decision to the president/designee. Such review shall be filed within ten (10) days of receipt of the decision. Failure to file for a review within the then (10) days shall be treated as a waiver by the grievant and the decision shall be final. The president/designee will normally respond in writing within twenty (20) days of the request to review the decision. The president / designee review shall be final for the university.