University Policies and Procedures

07-08.05 – POLICY ON GRIEVANCES FOR REGULAR EXEMPT EMPLOYEES

I. Policy Statement: To set forth the grievance procedure applicable for Regular Exempt Employees except the President, Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, Deans and Associate Deans.

II. Reason for Policy: To establish procedures to implement USM Policy VII-8.00 (http://www.usmd.edu/regents/bylaws/SectionVII/VII800.html) as it applies to exempt employees.

III. Definitions

A. University means Towson University.

B. Workday is defined in Section VI.A.4.

IV. Responsible Executive and Office:

Responsible Executive: Vice President for Legal Affairs & Human Resources and General Counsel

Responsible Office: Office of Human Resources

V. Entities Affected by this Policy: All departments, all regular exempt employees (except the President, Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, Deans and Associate Deans).

VI. Procedures:

A. General

1. The University recognizes that legitimate problems, differences of opinion, complaints, and grievances may exist in the daily relationship between the employee and the employer. It is the responsibility of all supervisors and employees to establish and maintain a work climate within which an employee problem or complaint may be promptly identified, presented, discussed and given fair, timely consideration and resolution.
2. Any matter over which management has control pertaining to discipline, promotion, suspension, duties, conditions of employment, and interpretation or application of University policies and procedures which may arise between an exempt employee and his or her supervisor concerning the affected employee may be the source of a grievance complaint except as otherwise provided in applicable USM policy(ies).

3. The termination and the subsequent appeal by an exempt employee is covered under the USM Policy VII-1.22 on Separation For Regular Exempt Employees and the Towson University implementing procedures at https://inside.towson.edu/generalcampus/tupolicies/documents/07-01.22%20Separation%20for%20Regular%20Exempt%20Employees.pdf.

4. A workday for purposes of this policy is defined as any day within the period encompassing Monday through Friday regardless of work schedule, weekend work, holiday, or workday off.

5. The University’s failure to respond to a grievance within the time limit specified at a particular step shall not affect the University’s right to act with respect to the grievance.

B. Procedure

1. Step One – At this step, the aggrieved employee may present his or her grievance in writing to his or her immediate supervisor for the purpose of informal discussion. Grievances must be initiated within thirty (30) calendar days after the employee either knew of the act or reasonably should have known of the act. The employee shall send a copy of the grievance to the Employer/Employee Relations Manager in the Office of Human Resources. It shall be the responsibility of the immediate supervisor to investigate the grievance and attempt to resolve the matter satisfactorily at that time. The immediate supervisor, within three (3) workdays after receipt of the grievance, shall hold a conference with the aggrieved employee. The supervisor shall confer with the Employer/Employee Relations Manager prior to making a decision regarding the grievance. Within three (3) workdays after the conclusion of the conference, the supervisor shall render his or her decision in writing to the aggrieved employee. The supervisor shall send a copy of the decision to the Employer/Employee Relations Manager. In the event the aggrieved employee is not satisfied with the decision rendered at this step, he or she may appeal in writing to Step Two within three (3) workdays.
2. Step Two – The aggrieved employee at this step may present his or her grievance in writing to the Vice President or designee of the respective division who, within five (5) work days after receipt of the written grievance, shall hold a conference with the aggrieved employee and, within three (3) work days after the conclusion of the conference, shall render his or her decision in writing to the aggrieved employee. The employee shall send a copy of the written grievance to the Employer/Employee Relations Manager in the Office of Human Resources. The Vice President or designee shall consult with the Employer/Employee Relations Manager prior to making a decision regarding the grievance. A copy of the written decision shall be sent to the Employer/Employee Relations Manager. In the event the aggrieved employee is not satisfied with the decision rendered at this step, he or she may appeal in writing to Step Three within three (3) workdays. In the event the Vice President also happens to be the immediate supervisor, Step Two does not apply and the aggrieved employee shall proceed directly to Step Three.

3. Step Three – The aggrieved employee at this step may present his or her grievance in writing to the President’s designee with a copy to the Employer/Employee Relations Manager in the Office of Human Resources. The President’s designee may either:

a. Personally consider the grievance in which case, within ten (10) work days after receipt of the written grievance, he or she shall report their findings in writing to the aggrieved employee and to the employee’s immediate supervisor outlining the measures, if any, to be initiated to remedy the grievance. A copy of the decision shall be sent to the Employer/Employee Relations Manager. The findings shall be final and binding upon all parties; or

b. Determine the grievance to be one, which more properly should be considered by a hearing committee. In such instances, within five (5) work days after receipt of the written grievance, he or she shall appoint a hearing committee consisting of three (3) individuals (no two (2) of whom shall have a broad functional area of responsibility encompassing the sphere of activity engaged in by the aggrieved employee). The hearing committee, within ten (10) work days after its appointment, shall hold a conference with the aggrieved employee and, within five (5) work days after conclusion of the conference, shall render its advisory opinion (which must be concurred in by
no less than two members) in writing to the President of the University who, within three (3) work days after receipt of the advisory opinion, shall report his or her findings in writing to the aggrieved employee and the employee’s immediate supervisor outlining the measures, if any, to be initiated to remedy the grievance. A copy of the findings shall be sent to the Employer/Employee Relations Manager. Such findings shall be final and binding upon all parties.

Related Policies:  USM Policy VII-8.00  
USM Policy VII-1.22  
TU Policies/Procedures 07-01.22

Approval Date:  07/29/2011

Effective Date:  07/29/2011

Approved by:  President’s Council  07/28/2011