



## GRIEVANT

### ROLE OF GRIEVANT

- The Grievant is the central figure in a Grievance case. Without the full participation of the Grievant, the Grievance will not move forward.
- For the Grievance Initial Filing Form, the Grievant provides a written justification with supporting documentation for why the (in)action(s) of management should be addressed through the Grievance process.
- For the Informal Discussion or Equal Opportunity Informal Inquiry processes (*if applicable*), the Grievant provides additional information in order to resolve the issue without having to continue with the Grievance process.
- For the Step 1 Mediation, Grievants represent themselves in the Mediation session in an attempt to reach a mutually-acceptable outcome for the Grievance.
- For the Step 2 Hearing, Grievants represent themselves in the Hearing, provide documentation that supports their Grievance, and may request participation of other parties (Witnesses) to speak at the Hearing.
  - ♦ The Grievant can make a 1-3 minute opening statement summarizing the Grievance.
  - ♦ The Grievant will have up to 1.5 hours to present their information to the Panel.
  - ♦ The Panel, the Grievance Officer, and the Respondent may ask questions of the Grievant.
  - ♦ The Grievant also may ask questions of the Respondent and any Witnesses as part of their presentation.
  - ♦ The Grievant can make a 1-3 minute closing statement summarizing the Grievance.

### RESPONSIBILITIES OF GRIEVANT

- **Time Commitment:** The time commitment for a Grievant varies greatly with the Grievance and the issue(s) being addressed. The Grievant should expect to invest 5-15 hours in completing the SHRA Grievance Initial Filing Form within the 15 calendar day filing period and in attempting to resolve the issue through the Informal Discussion or EO Informal Inquiry processes (if applicable to their Grievance case). The Grievant should expect to invest 5-15 hours preparing for and participating in the Step 1 Mediation with the Respondent. The Grievant should expect to invest 15-20 hours over a 5-week period in preparation for a Step 2 Hearing. The Step 2 Hearing is scheduled for a half-day. All work time must be approved in advance by the Grievant's supervisor; however, not all time involved in a Grievance is considered paid work time. The remainder of the time must be spent off-hours or through the use of available leave. (Refer to the "Statement on Work Time and Grievance Participation" for additional information.)
- **Presentation of Information:** The Grievant's primary responsibility is to present clear, concise, accurate, and relevant information in support of their position to show by a preponderance of the evidence (that is, the more probable or likely truth) that management's action(s) were neither warranted nor defensible by law, regulation, policy, or by established department practice consistent with law, regulation, or policy.
- **Truthful Contribution:** The Grievant is required to provide truthful information for the Grievance so that the Step 1 and Step 2 decision-makers have sufficient information to make informed decisions on the matter.
- **Hearing Notifications:** The Grievance Officer shall set deadlines for submitting additional documentation for the Hearing and for calling witnesses. The Grievant is responsible for notifying their Witnesses of the date, time, and location of the Step 2 Hearing. The Grievant cannot compel a potential Witness to participate.
- **Grievance Materials:** The Grievance Officer will provide a copy of all Hearing-related materials for the Step 2 Hearing. The Grievant will be allowed an opportunity to provide rebuttal evidence under deadlines established by the Grievance Officer. After the Chancellor (or designee) has rendered the Final University Decision, or in the event that the Grievance is otherwise ended without a Chancellor's decision, any copies of Grievance materials in the possession of Hearing Panelists are sent to the Grievance Officer for disposal in accordance with the State's public records retention policy. The Grievant may also send Grievance documents to the Grievance Officer for confidential disposal.

If you have any questions, please contact Employee & Management Relations (843-3444).

- **Deadline Observance & Extensions:** The Grievant must adhere to all deadlines expressly defined by the “University System SHRA Employee Grievance Policy,” the “Guidelines for Grievants,” and other directives from the Grievance Officer. Failure of the Grievant to adhere to these deadlines may result in the Grievance being closed. For deadlines not expressly defined in the “University System SHRA Employee Grievance Policy,” the Grievance Officer has the authority to allow extensions on a case-by-case basis but is not required to do so.
- **Confidentiality:** Grievances are confidential personnel matters. Hearing Panels and Respondents may have access to additional confidential materials that may not be available to the Grievant and/or other parties. Grievants shall maintain confidentiality and shall not disclose information concerning the case to others, except as allowed by the normal function of policy or required by law.
- **Conduct:** The Grievant shall exhibit respectful conduct at all times to all parties involved in the Grievance and encourage mutual respect between parties.
- **Compliance:** Failure to comply with these requirements may result in the closing of the Grievance and/or may result in other appropriate administrative action.

## RIGHTS OF GRIEVANT

- **Non-Retaliation:** To participate in the Grievance process free from retaliation, coercion or abuse by Grievants, Respondents, Panelists, Witnesses, the Office of Human Resources, or any other party.
- **Respectful Consideration:** To be provided a fair opportunity to have their concerns heard, and if the issue(s) cannot be addressed through the Grievance process, to receive a written explanation why the Grievance cannot continue and information on alternative dispute resolution options, if applicable.
- **Deadline Extensions:** To accept or deny requests for mutually-extended deadlines as allowed by the Policy.
- **Paid Work Time:** To receive paid work time or use of available paid leave for certain Grievance-related meetings as indicated in the “Statement on Work Time and Grievance Participation.” The Grievant has a right to reasonable flexibility from their management in scheduling this time, provided that these times are not excessive and do not conflict with key work responsibilities and business needs.
- **Consultation:** To receive consultation and guidance from the Office of Human Resources on Grievance-related processes.

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