



STEP 2 RESPONDENT

ROLE OF STEP 2 RESPONDENT

- A Step 2 Respondent is an administrator at The University of North Carolina at Chapel Hill charged with presenting management's case in a Step 2 Grievance Hearing. The Respondent is generally the first-level or second-level supervisor of the Grievant who had direct involvement with the issue(s) being grieved or who was a key decision-maker on the issue(s) being grieved. The Grievance Officer in the Office of Human Resources shall determine the appropriateness of a designated Respondent.
- The Step 2 Respondent gathers and submits documentation that supports management's case and may request participation of other parties (Witnesses) to speak at the hearing.
 - ◆ The Respondent can make a 1-3 minute opening statement summarizing their response.
 - ◆ The Respondent will have up to 1.5 hours to present their information to the Panel.
 - ◆ The Panel, the Grievance Officer, and the Grievant may ask questions of the Respondent.
 - ◆ The Respondent also may ask questions of the Grievant and any called witnesses as part of their presentation.
 - ◆ The Respondent can make a 1-3 minute closing statement summarizing their response.

RESPONSIBILITIES OF STEP 2 RESPONDENT

- **Time Commitment:** From the time the Step 2 Respondent receives the Step 2 Appeal, the Respondent should expect to invest as much as 15-20 hours of work time over a 5-week period. The Step 2 Respondent may expect to spend up to 10 hours in discussions with the Grievant, supervisor, or related parties during earlier stages of the Grievance process. (Refer to the "Statement on Work Time and Grievance Participation" for additional information.)
- **Presentation of Information:** The Respondent'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 warranted and defensible by law, regulation, policy, or by established department practice consistent with law, regulation, or policy.
- Truthful Contribution:** The Respondent is required to provide truthful information for the Grievance so that the Step 2 Hearing Panel and Chancellor have sufficient information to make an informed decision on the matter.
- Hearing Notifications:** The Grievance Officer shall set deadlines for submitting additional documentation for the Hearing and for calling witnesses. The Respondent is responsible for notifying their Support Person and their called Witnesses of the date, time, and location of the Step 2 Hearing. The Respondent cannot compel a potential Witness to participate.
- **Grievance Materials:** The Grievance Officer will provide the Respondent a copy of all Hearing-related materials for the Step 2 Hearing. The Respondent will be allowed an opportunity to provide rebuttal evidence under deadlines established by the Grievance Officer. After the Chancellor 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 Respondent's possession shall be either destroyed confidentially in office or sent to the Grievance Officer for disposal in accordance with the State's public records retention policy.
- Confidentiality:** Grievances are confidential personnel matters. Respondents may have access to and provide additional confidential materials that may not be available to the Grievant. Respondents shall maintain confidentiality and shall not disclose information concerning the case to others, except as allowed by policy or required by law.
- Conduct:** The Respondent 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 appropriate administrative action.

RIGHTS OF STEP 2 RESPONDENT

- **Non-Retaliation:** To participate in the Grievance process free from retaliation, coercion or abuse by Grievants, Step 1 Respondent, Panelists, Witnesses, the Office of Human Resources, or any other party.
- Respectful Consideration:** To be provided a fair opportunity to have their management decisions considered.
- **Consultation:** To receive consultation and guidance from the Office of Human Resources and other University officials on Grievance-related processes.

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