



UNIVERSITY POLICY

Policy Name:	<u>Special Grievance Procedure for Specific University Staff Employees</u>				
Section #:	<u>60.3.1</u>	Section Title:	<u>Human Resources (HR): Non-Academic Employees</u>	Formerly Book:	<u>3.5.12</u>
Approval Authority:	<u>Senior Vice President for Human Resources and Organizational Effectiveness</u>		Adopted:	<u>1981</u>	Reviewed: <u>02/11/2020</u>
Responsible Executive:	<u>Senior Vice President for Human Resources and Organizational Effectiveness</u>		Revised:	<u>12/1991; 12/09/2004; 06/30/2006; 05/05/2008; 11/09/2009 (Updated titles); 09/09/2013 (Updated title and Section 3); 02/11/2020</u>	
Responsible Office:	<u>University Human Resources</u>		Contact:	<u>policies@hr.rutgers.edu</u>	

RUTGERS POLICY

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Originally Issued: ~~1981~~

Revisions: ~~12/1991; 12/9/2004; 6/30/2006; 5/5/2008; 11/9/2009 (Updated titles); 9/9/2013 (Updated title and Section 3)~~

Errors or changes? ~~Contact: policies@hr.rutgers.edu~~

1. **Policy Statement**

~~All regulations and procedures are subject to amendment.
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All policies are subject to amendment. Please refer to the Rutgers University Policy Library website (policies.rutgers.edu) for the official, most recent version.

The special grievance procedure is available for use by specific regularly appointed staff employees who do not otherwise have access to a grievance procedure such as that outlined in University Policy 60.4.4 or a specific union grievance procedure.

2. **Reason for Policy**

To provide a grievance procedure for staff employees who are not eligible under University Policy 60.4.4: Problem Solving Procedure for Managerial, Professional, Supervisory, and Confidential (MPSC) Personnel-Eligible for the Administrative Assembly.

3. **Who Should Read This Policy**

This policy is applicable only to employees in legacy Rutgers positions. A legacy Rutgers position is a position which, historically, was associated with ~~the Rutgers University~~ before June 30, 2013. ~~Individuals employed in Rutgers positions are processed through the PeopleSoft (RIAS) payroll system.~~ These positions may be governed by different negotiated agreements and policies from those that would be applicable to individuals in legacy (University of Medicine and Dentistry of New Jersey (UMDNJ)) positions. In this regard, individuals employed in legacy Rutgers positions may be eligible for different non-State benefits than individuals who hold legacy UMDNJ positions.

4. **Resources Related Documents**

~~None~~ University Policy 60.4.4: Problem Solving Procedure for Managerial, Professional, Supervisory, and Confidential (MPSC) Personnel

5. **Definitions Contacts**

~~University Human Resources
Office of Labor Relations, and Consulting Services, 848-932-3020
N/A~~

6. **The Policy**

The following grievance procedure is available for use by specific regularly appointed staff employees who do not otherwise have access to a grievance procedure including the following:

- ~~m~~Managerial, Professional, Supervisory and Confidential employees who are ineligible for the Administrative Assembly; grievance procedure set forth in University Policy 60.4.4;
- ~~p~~Police recruits;
- ~~e~~Confidential clerical employees;
- ~~r~~Regular employees ineligible for bargaining units by reason of part-time appointments; and
- ~~e~~Others who may be so designated by the ~~Vice President for Faculty and Staff Resources~~ Senior Vice President for Human Resources and Organizational Effectiveness.

This procedure excludes probationary, student, casual, and temporary employees, as well as those who serve at the pleasure of the Board of Governors or the President, those who are employed by the ~~university~~ University under the terms of special- purpose institutional grants or contracts or individually negotiated employment contracts and those who have access to any other grievance procedure.

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A grievance under this procedure is defined as a claimed violation of ~~university~~University policy relating to terms and conditions of employment of the grievant. It may also be used to appeal disciplinary actions. Whether or not pursued, this procedure shall constitute the full and exclusive right and remedy for any and all such claims by such personnel.

In processing a grievance under this procedure, employees may solely have the assistance of a ~~university~~University administrative staff member of their choosing to help present their case. However, in the interest of solving problems in an informal manner, such an administrative staff ~~member may not be an attorney nor may a or faculty or staff member,~~ who is an attorney, may not serve in this representative role.

To be valid, a decision of a hearing officer must be within the extent of his or her authority.

The grievance shall be processed as follows:

- Step 1. An employee claiming such violation should present the grievance in writing within ten (10) days ("days" as defined as working days) following the event that gave rise to the grievance. The grievance should be presented to the first level of supervision having authority to affect a remedy; in most cases this will be the immediate supervisor. If a meeting is necessary, the supervisor will arrange for such a meeting within five (5) days if a meeting is necessary, but in any case will respond to the grievant in writing within ten (10) days of receipt of the written request unless there is a mutually agreed upon extension. The written decision made at Step 1 shall be considered a binding and final settlement if not appealed by the staff member to the next succeeding Step within the procedural time limits set forth in Step 2 below, or mutually agreed upon extensions.
- Step 2. If the grievant is not satisfied with the result at Step 1, he or she may, within five (5) days of receipt of the Step 1 answer, send a written request for a hearing to the ~~Vice President for Faculty and Staff Resources~~ Senior Vice President for Human Resources and Organizational Effectiveness along with a copy of the Step 1 answer. Within ten (10) days of receipt of the request, a second step hearing will be arranged to be held before an appropriate ~~university~~University representative. The ~~university~~University representative will give his or her answer in writing within ten (10) days following such meeting. This final answer will be binding.