



Approved as amended by: Vice-Chancellor  
Business & Finance  
Date: 4/26/17  
*Sheryl Van Gruensven*  
Sheryl Van Gruensven, Vice-Chancellor

*Approved by Chancellor Gary L. Miller 6/1/2015  
Reviewed and Commented by Academic Staff: 1/12/2017*

## ACADEMIC STAFF COMPLAINT AND GRIEVANCE POLICY

### HR 14-15-7b

#### BACKGROUND AND DEFINITIONS

The UW-Green Bay Academic Staff complaint procedure and grievance policy establishes a dispute resolution process for academic staff and members of the public. UW-Green Bay has developed a formal complaint procedure and grievance policy in accordance with [UWS 13](#) and [GEN 24](#).

A “complaint” is an allegation concerning conduct which violates UW System or UW-Green Bay rules or policies or which adversely affects the employee’s performance or obligations to the University.

“Complaint procedure” means the process through which allegations of conduct that violate the rules or policies of the institution or which adversely affect an employee’s performance or obligation to the university can be brought forward by a UW System employee or member of the public, but are not serious enough to warrant dismissal proceedings under [UWS 11](#).

A “grievance” is a personnel problem alleged by an employee that violates the federal or state constitution, a federal or state law, an employment contract, or a UW System or UW-Green Bay policy.

“Grievance procedure” means the process through which certain working conditions, discipline, or dismissal of a UW System employee can be appealed. All academic staff are eligible to file a grievance through this provision.

“Disciplinary actions” include written reprimands, suspension, demotion and reduction in base pay.



## **COMPLAINT PROCEDURES**

Academic-related complaints filed by a student regarding an instructional academic staff employee should follow the procedure outlined by the [Dean of Students](#).

Complaints may be submitted by persons other than the academic staff member's supervisor(s), including administrators, students, faculty, academic staff, university staff or members of the public. Complaints should be filed with the academic staff employees immediate supervisor. In situations where the complaint cannot be resolved informally, formal complaints shall be in writing to the Chancellor describing specifically the alleged misconduct. The misconduct must be clearly delineated in the complaint.

The Chancellor or their designee shall notify the employee who is the subject of the complaint in writing of the specific allegations, the identity of the person or party who made the complaint, and the disposition of the complaint.

The employee who is the subject of the complaint will have the opportunity to respond to the Chancellor or their designee about the complaint in writing.

The Chancellor or their designee may recommend an informal discussion and settlement of the complaint before reviewing and taking action. The informal discussion and settlement route shall follow the upward levels of supervision and employment. If the complaint is not settled by this route, it shall be returned to the Chancellor or their designee. The Chancellor may direct an investigation be conducted documenting the findings and recommendations concerning the enforcement of UWS and UW-Green Bay rules and policies.

If the results of the investigation result in discipline issued to the employee or dismissal of employment the employee may file a grievance in accordance with the provisions of this chapter.

If the results of the investigation disclose that the complaint was without foundation, the university officer or management designee shall file such findings and recommendations with the Chancellor.

Copies of the recommendations shall be served on all parties of the investigation.

## **GRIEVANCE PROCEDURES**

Academic staff employees shall discuss any grievance with their immediate supervisor within 20 working days from the date of awareness of the precipitating action or condition. The supervisor shall give the academic staff member a written decision on the grievance within 5 working days of the discussion.

If the academic staff member is dissatisfied with the decision from the supervisor, he/she may appeal that decision in writing within 7 working days following the date of the written decision. The first avenue of



appeal is the immediate superior of the supervisor, or, if this person is directly involved in the grievance, his/her supervisor. The person to whom the appeal is made shall make a determination and communicate this written judgment to the grievant within 5 working days of receipt of the appeal.

Grievances upon which a decision has been rendered after completion of the foregoing procedure may be appealed within 15 working days from the date of the final decision to the Chancellor who shall, if requested, arrange for a hearing under the mechanism specified in [UWS 11.03 – 11.07](#).

## **FREEDOM FROM REPRISAL**

Grievants, complainants, representatives, witnesses, or potential witnesses are guaranteed freedom from reprisal. Direct or subtle action taken by parties involved in a grievance or complaint intended to harass the complainant or grievant shall be considered reprisal. Normal administrative prerogatives and procedures such as reassignment of duties or employee evaluation are not forms of reprisal unless the intent of harassment can be substantiated. Any complainant or grievant who believes that reprisal is being threatened or effected may bring a statement of facts to the Office of Human Resources or alternate designee who will investigate the situation and report the findings with recommendation to the Chancellor or their designee. The Chancellor or their designee will act upon this recommendation within ten (10) business days of receipt.