

**THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
OFFICE OF HUMAN RESOURCES
POLICY AND PROCEDURES MEMORANDUM**

GRIEVANCE

DATE: February 1, 2006

1. PURPOSE

This policy establishes procedures for employees of The University of Texas System and its components institutions to bring complaints to the attention of management.

2. POLICY

It is the policy of The University of Texas System to encourage fair, efficient and equitable solutions for problems arising out of the employment relationship and to meet the applicable requirements of state and federal law. No employee will be penalized or disciplined for pursuing a grievance or for aiding another employee in the presentation of a grievance, provided such action is taken in good faith. Also, no employee will incur retaliation for reporting issues or events of non-compliance to The University of Texas System Compliance hotline.

2.1 Scope of Policy

This grievance procedure is available to all employees, including probationary, temporary, and those hourly or per diem employees who work on an as-needed basis, with the exception of faculty, teaching staff, students employed in positions which require student status as a condition for employment, and commissioned/uniformed employees of The University of Texas System Police who are subject to another grievance policy.

This procedure does not apply to decisions or actions that are reviewable pursuant to procedures provided by the Board of Regents' *Rules and Regulations* or the Policies of the Board of Regents or other approved policies or procedures of The University of Texas System.

This grievance procedure is available for the complaint of an employee concerning wages, hours of work, working conditions, performance evaluations, merit raises, job assignments, reprimands, the interpretation or application of a rule, regulation or policy; or allegations that the termination of a probationary, temporary, hourly or per diem employee who works on an as-needed basis was for an unlawfully discriminatory reason.

A complaint pursuant to a possible violation of Equal Employment Opportunity policy or Sexual Harassment/Sexual Misconduct policy should be handled in accordance with those policies and procedures.

2.2 Personnel Files

The written complaint and all decisions or responses regarding the complaint will be a part of the personnel file of the employee.

3. PROCEDURES

3.1 Informal Complaint

The employee should present the complaint to the supervisor or administrative official for discussion, consideration and resolution within five workdays from the date of the action which is the subject of the grievance, or within five workdays of when the employee first became aware or should have become aware of the action being grieved. If the supervisor is the subject of the complaint, the employee may address the complaint to the appropriate department head or administrative equivalent.

3.2 Formal Complaint

If the complaint is not satisfactorily resolved by the supervisor or administrative equivalent within five workdays, the employee may present the complaint in writing within five workdays to the appropriate department head or administrative equivalent for consideration and action. The written complaint should be clearly identified as a grievance, contain a concise statement that explains the specific complaint, and contain the employee's recommendation for attaining a sufficient remedy of the complaint. A written decision will be provided to the employee within five workdays of receipt of the complaint.

3.3 Appeal

If the employee is not satisfied with the decision of the department head or administrative equivalent, a written appeal stating why the decision on the formal complaint is incorrect must be received by the appropriate director or administrative equivalent within five workdays of the decision. Within ten workdays of the date of receipt of the appeal, a written decision will be provided to the employee.

3.4 Final Appeal

Complaints not satisfactorily resolved by the director or administrative equivalent may be appealed in writing to the appropriate vice president or administrative equivalent for the employee's department within five workdays of the date of Appeal decision. The appeal shall state why the Appeal decision is not correct.

Within a reasonable time, not to exceed thirty calendar days following receipt of the complaint, a written decision will be provided to the employee. This decision is final.

DEFINITIONS

The University of Texas of the Permian Basin Compliance Hotline: a toll free number (1-888-228-7725) is operated 24 hours a day, 365 days a year by trained professionals. Employees may anonymously report issues or events regarding non-compliance on the hotline.

4. AUTHORITY

The University of Texas System Regents' *Rules and Regulations*, 30602

5. APPLICATION

This policy applies to The University of Texas System and its components.