COLLEGE POLICY: 450

EMPLOYEE GRIEVANCE POLICY AND PROCEDURE

Section I. Purpose and Applicability

UA Cossatot is committed to providing employees with a fair and orderly process for raising and resolving workplace grievances. This policy provides employees with an opportunity to seek resolution of work-related concerns through an informal or formal grievance process. Accordingly, employees who utilize the grievance process are free to consult with legal counsel at their own expense, but attorneys and other representatives are not permitted to attend or participate in the grievance process.

This policy applies to all full-time and part-time employees of the College who bring forth a grievance as defined in this policy and which is not governed by another applicable College, University of Arkansas System, state, or federal policy or procedure.

The Director of Human Resources serves as the College's Grievance Officer (GO) and is responsible for administering the grievance process. Grievances and requests for review or appeal under this policy shall be submitted to the GO, who will determine whether grievances fall within the scope of this policy.

If the issue is governed by another applicable policy, procedure, or process, the GO will advise the employee of other possible policies available to address the issue.

Section II. Definitions

Grievance is defined to include the following:

- An alleged misinterpretation, misapplication, or violation of a specific provision of college policy that materially affects the employee's terms and conditions of employment.

Excluded from the grievance process are:

- Issues related to wages, salary or benefits matters involving reappointment, performance evaluation, reassignment of duties, or demotions or promotions, that do not concern a claimed failure by the College to follow established policy;
- Alternative work arrangements or scheduling;
- Classification of positions;
- Separation of employment (whether voluntary or involuntary);
- Retrenchment of employees pursuant to Board Policy 405.5;
- Falsification of application materials;
- Personality disputes; and/or
- General disagreements or dissatisfaction with College policy or matters governed by another established review or appeal process.

Grievant: The employee who raises workplace concern(s) or files a formal grievance under this policy.

Respondent: The employee, supervisor, administrator, or other individual whose action, decision, or conduct is the subject of grievances.

Grievance Officer (GO): The Director of Human Resources or designee responsible for administering the grievance process. If a conflict of interest prevents the Director of Human Resources from serving as the GO, the Chancellor may designate another appropriate individual.

Working Day: A day on which the College's administrative offices are open for regular business, excluding weekends, holidays, and official College closures.

Informal Resolution: An effort between the employee and supervisor to resolve workplace concerns without proceeding to the formal grievance process.

Formal Grievance: A written grievance submitted to the GO in accordance with this policy.

Grievance Record: Documentation maintained by the GO related to grievances including the actual grievance brought forth, responses, supporting documentation, interview information, correspondence, findings, recommendations, and decisions.

Grievance Review Committee: A temporary committee that may be selected and convened by the GO when additional review is desirable. The committee assists in the fair and impartial consideration of formal grievances. The College does not maintain a standing grievance committee.

A Decision: A determination as to whether the concern(s) raised in a grievance constitutes inappropriate workplace behavior or a violation of established College personnel regulations, policies, or practices. The Decision will include an assessment of the concern raised, the basis for determination, and any appropriate resolution or action. The Decision will be issued within fifteen (15) working days of receiving the Respondent's response.

Section III. Grievance Process

A. Step 1 - Informal Consultations and Resolutions

Employees are expected to make a reasonable effort to resolve workplace concerns informally before initiating the formal grievance process.

An informal resolution may include:

- Discussions with the individuals involved;
- Clarification of applicable policies, procedures, or expectations;
- Facilitated conversations or mediation;

- Consultation with appropriate supervisor or administrator; or
- Other reasonable measures appropriate to the circumstances.

Procedure**:**

1. Discussion with Supervisor-the employee should first discuss the concern with their immediate supervisor within ten (10) working days following the incident forming the basis for the concern. The employee should provide sufficient information for the supervisor to understand the issue and the resolution being sought. The employee and supervisor should make a good-faith effort to discuss the concern and determine whether a mutually acceptable resolution can be reached.
2. Vice Chancellor: if a resolution is not reached with the immediate supervisor, the employee may bring concern(s) to the appropriate Vice Chancellor governing the department. The Vice Chancellor may meet with the employee, supervisor, or other individuals as appropriate to better understand the matter and explore a possible resolution.
3. This initial attempt at a resolution must conclude within ten (10) working days of the employee's initial discussion with the supervisor. If at the end of this ten (10) day period the concern is not resolved, the employee can proceed to Step 2.

B. Formal Grievance – Step 2: Filing the Grievance

If a concern is not resolved informally, the Grievant may submit a formal written grievance to the GO within five (5) working days of the conclusion of the informal resolution process.

The grievance should include:

- The name of the Grievant and contact information;
- The action, decision, conduct, or condition being grieved;
- The relevant date or dates;
- The individual or individuals involved;
- A description of the facts supporting the grievance;
- The names of individuals who may have relevant information;
- Available supporting documentation;
- A description of any informal resolution efforts, if applicable; and
- The resolution or remedy requested.

The GO will acknowledge receipt of the grievance in writing within five (5) working days and may request additional information or documentation from the Grievant as necessary to review the grievance.

If the GO determines that the grievance is outside the scope of this policy, was not timely filed, or is governed by another applicable policy or procedure, the GO will notify the Grievant in writing and, when appropriate, refer the Grievant to the applicable process.

C. Formal Grievance – Step 3: Notice and Response

If the grievance is accepted for review, the GO will provide the respondent with notice of the grievance and sufficient information to allow a reasonable opportunity to respond.

The respondent must submit a written response to the GO within five (5) working days. The response should address the issues raised in the grievance and may include relevant facts, supporting documentation, and a proposed resolution, when appropriate.

The GO may extend the response deadline when circumstances warrant.

D. Formal Grievance – Step 4: GO Review

The GO will conduct a fair and impartial review based on the nature and complexity of grievances.

The review may include:

- Reviewing the grievance, response, and supporting documentation;
- Interviewing the Grievant, respondent, witnesses, or other individuals with relevant information;
- Reviewing applicable records, correspondence, policies, and procedures;
- Consulting appropriate College administrators; and
- Gathering other necessary information to evaluate the grievance.

The Grievant and respondent will have a reasonable opportunity to provide relevant information during the review.

The GO will make reasonable efforts to complete the review within fifteen (15) working days after receiving the Respondent's response. Additional time may be allowed when warranted by nature or complexity of grievance(s).

E. Formal Grievance – Step 5: Grievance Review Committee (If Convened)

The College does not maintain a standing Grievance Review Committee. During the formal grievance process, the GO may convene a temporary committee when additional review would assist in the fair and impartial consideration of the grievance.

In determining whether a committee is appropriate, the GO may consider:

- The nature, complexity, or seriousness of the grievance;
- Potential conflicts of interest;

- The positions or reporting relationships of the individuals involved;
- The need for specialized knowledge or additional institutional perspective;
- The significance of the issues raised; or
- Other relevant circumstances.

If a committee is convened, the GO will select its members based on the circumstances of the grievance. Individuals directly involved in the grievance or with an actual or apparent conflict of interest will not serve on the committee.

The GO will determine the size and composition of the committee and provide the information and instructions necessary to conduct its review. The committee may review relevant documentation, meet with the Grievant, Respondent, witnesses, or other appropriate individuals, and request additional information through the GO, as necessary.

Following its review, the committee will provide the GO with written findings and recommendations.

The committee serves in an advisory capacity to the GO. Its findings and recommendations do not constitute the College's final decision.

F. Formal Grievance – Step 6: Resolution

Following completion of the review by either the GO or Grievance Review Committee, the GO will evaluate the information obtained and may consult with appropriate College administrators, as necessary, to determine the resolution of the grievance.

The GO will provide the Grievant, Respondent, and administrators in the chain of command with written notice of the outcome, including sufficient information to explain the resolution. Information regarding corrective, administrative, or disciplinary action involving another employee may be limited in accordance with applicable personnel and confidentiality requirements.

If the resolution requires action by the Grievant, Respondent, or department, the GO will monitor implementation as appropriate.

G. Formal Grievance – Step 7: Appeal to the Chancellor

Either party may submit a written appeal to the Chancellor through the GO within five (5) working days of receiving the written resolution from the formal grievance.

The appeal must identify one or more of the following grounds:

1. New and material information that was not reasonably available during the grievance review and could affect the outcome;

2. The outcome is inconsistent with an applicable College or University of Arkansas System policy; or
3. A substantial procedural error occurred that materially affected the review of the grievance.

The GO will provide the Chancellor with the grievance record and the written appeal.

The Chancellor may review the record, request additional information, meet with individuals involved, or take other reasonable steps necessary to consider the appeal.

The Chancellor will issue a written decision within ten (10) working days of receiving the grievance record or soon as reasonably possible thereafter to the GO. The GO shall transmit a copy to the Grievant, respondent, and administrators in the chain of command, and the grievance committee (if applicable). The Chancellor's decision is final under this policy.

Section III. Other Provisions

A. Non-Retaliation

Retaliation against any Grievant for filing a good-faith grievance, participating in the grievance process, providing information, or serving as a witness is prohibited.

Concerns regarding retaliation should be reported promptly to the GO and may be addressed separately from the underlying grievance.

This provision does not prevent the College from addressing knowingly false statements, intentional misrepresentations, or misconduct occurring during the grievance process.

B. Confidentiality and Privacy

All participants in the grievance process are expected to maintain the confidentiality of these personnel matters. The College will make reasonable efforts to protect the privacy of individuals involved in the grievance process. Information will be shared only with those who have a legitimate need to know or as required by law or applicable College or University policy. The College cannot guarantee complete confidentiality.

C. Cooperation and Good Faith

Employees participating in the grievance process are expected to cooperate in good faith, provide truthful information, respond to reasonable requests for information, and refrain from interfering with the process.

D. Conflicts of Interest

An individual will not participate in the review or resolution of grievances when a conflict of interest exists, or circumstances reasonably call the individual's impartiality into question.

E. Extensions and Timelines

The timelines established in this policy are intended to promote prompt resolution of grievances. An extension of time limits provided in this policy may be requested by any party and shall be granted upon a determination that extenuating circumstances or good cause exists.

F. Grievance Records

The GO will maintain grievance records in accordance with applicable College and University record-retention requirements. Grievance records are maintained separately from an employee personnel file, except when documentation of an employment action resulting from a grievance is maintained in the personnel record.

G. Relationship with Other Policies and Procedures

This policy does not replace or supersede any complaint, reporting, investigation, hearing, review, or appeal process established by another applicable College or University of Arkansas System policy.

If grievances include allegations governed by another applicable policy or required process, the GO may refer all or part of the grievance to the appropriate process and will notify the Grievant accordingly.

HLC Criterion: 2A.2

Policy History:

November 2, 2026