



Ohio Administrative Code

Rule 3342-6-01.1 Administrative policy and procedure regarding grievances of nonteaching unclassified and unrepresented classified staff.

Effective: March 1, 2015

(A) Purpose. The purpose of this policy is to secure equitable solutions as quickly as possible to complaints that may arise relative to the working conditions of university employees. Members of the faculty have other grievance resolution machinery available and are excluded from this policy.

(B) Definitions.

(1) Employee. For the purposes of this policy, the term "employees" is defined as unclassified administrative and professional staff members and unrepresented classified civil service appointees.

(2) Grievance. A "grievance" is defined as a claimed violation of a specified university regulation, policy, or procedure. Generally, it is expected that a grievance can be resolved at the point at which it arises. This means that the aggrieved employee and his immediate supervisor should attempt to settle the issue, with the right to appeal to a higher level exercised only after it is determined that mutual satisfaction cannot be reached. Consequently, every effort should be made to settle the grievance on the spot, on its merits, and with minimal delay.

(C) Eligibility. This policy may be utilized by nonteaching unclassified and unrepresented classified staff. Under the Revised Code, certain classified civil service employees may appeal certain actions of the appointing authority to the state personnel board of review. Included are such matters as job abolishment, reduction in pay or position, layoff, suspensions in excess of three working days, discharge, and job classification. Actions which may be appealed to the state personnel board of review are not subject to appeal under this grievance procedure. If, however, an appeal is filed in a timely manner and that board denies jurisdiction, a grievance may be initiated at step three of this local grievance procedure.

(D) Implementation.

(1) General.



(a) It is the right of every employee to use the prescribed grievance machinery without fear of reprisal. The manager of employee relations is available to render guidance and assistance concerning the grievance procedure to be followed.

(b) It is the policy of the university to afford its employees the right to have assistance from a fellow employee in attempting to settle a grievance with a supervisor or department head after the employee and his or her supervisor have failed to reach a satisfactory solution in their initial discussion.

(c) It is further the policy of the university to recognize the right of the employee to have additional representation at conference held at the personnel office level and above.

(d) Reasonable administrative time-off shall be permitted for aggrieved employees of the university and fellow employees who assist in presenting a grievance.

(2) Time limits.

(a) It is important that complaints and grievances be processed as quickly as possible at each administrative level. The number of days indicated herein at each level shall be considered the maximum. Every effort should be made to expedite the process and to render a decision as quickly as possible. The time limits specified may, however, be extended by agreement between the university and the employee. A grievance will be acted upon provided the employee submits it in writing within ten working days of the occurrence or discovery of the complaint or grievance.

(b) The phrase "working days" as used in this policy means days exclusive of holidays and days the employee may be on authorized vacation, sick leave, or absence.

(c) Failure of the grievant to appeal a decision within the specified time limits shall be deemed a withdrawal of the grievance and shall bar further action or appeal. Failure of the university to render a decision on a grievance within the specified time limits shall permit its appeal by the grievant to the next step.

(E) Procedural steps.



(1) Employee and immediate supervisor.

(a) The aggrieved employee shall take the matter up with his or her immediate supervisor at the "earliest possible moment," which is defined herein as not exceeding ten working days from the occurrence or discovery of the complaint or grievance.

(b) In the event the problem is not resolved at this informal level, the employee may prepare a formal written grievance, accurately stating the nature of the grievance and a suggested solution.

(c) The formal grievance as filed by the grievant shall be submitted on the university employee complaint form.

(d) The formal grievance should be signed and presented to the supervisor. This must be done within three working days after the final discussion with the supervisor.

(e) The supervisor shall promptly record the decision which he or she has rendered and sign the form as indicated. Copies of the grievance and the supervisor's decision shall be distributed within three working days in the manner indicated on the form.

(f) In organizational situations where the immediate supervisor and the department head are the same person, the grievance mechanism will begin with paragraph (E)(2) of this rule.

(2) Employee and department head.

(a) If the aggrieved employee is not satisfied with the decision of the immediate supervisor, the employee may, within five working days of such decision, file a written appeal with the department head.

(b) On receipt of the formal written appeal, the department head shall meet within five working days with the grievant to discuss the facts of the grievance in an effort to effect a settlement. After considering the facts presented, the department head shall give his or her decision in writing within three working days of the meeting.



(c) Should a group of employees within a department have a grievance, the department-head phase shall become the first step in the employee grievance procedure.

(d) In the event the grievant is employed in an administrative position at the department-head level or above (including academic chairpersons and directors), the grievance shall be presented to the grievant's immediate superior and is subject to appeal only to the next higher organizational level beyond that superior. Administrative grievances of this type are not subject to the step three and step four provisions of the procedure that provide for personnel department review and impartial arbitration.

(3) Employee and manager of employee relations.

(a) If the aggrieved employee is not satisfied with the decision of the department head, the employee may appeal the grievance to the manager of employee relations within five working days after receipt of the second-step decision. The manager of employee relations or designated representative will make an investigation of the complaint and, if necessary, hold a meeting with the employee and the employee's representative, if any. The manager of employee relations may determine that attendance of the supervisor, department head, or other management officials would be helpful in resolving the complaint. Upon completion of the investigation, the manager of employee relations will give the grievant a written decision.

(b) If a grievance is not appealed within ten working days after receipt of such decision, the grievance will be considered settled and will not be subject to further appeal and/or review.