

OREGON INSTITUTE OF TECHNOLOGY

Grievance Procedure for Administrative Staff OIT-21-320

Purpose

The purpose of this grievance procedure is to provide for open communication, which promotes the equitable resolution of employment disputes. This procedure will be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that OIT complies with all applicable laws and regulations.

Scope

This procedure will apply to all unclassified OIT administrative staff. The terms and conditions of this procedure will not lessen any employee rights under existing institutional grievance procedures. Grievances based upon alleged illegal discrimination as set forth in the “*OIT Discrimination Grievance Procedure*” are not subject to this Grievance Procedure for Administrative Staff. Administrative staff employees with grievances related to discrimination are referred to that document.

Definitions

For the purposes of this grievance procedure:

1. “Grievance” means a complaint by an administrative staff employee that the employee was wronged in connection with termination for cause or the laws, rules, policies and procedures under which OIT operates, with the exception of reappointment. The conditions of reappointment are governed by OAR 580-021-0005.
2. “Administrative staff” is defined as employees with primary job functions in the areas of administration, services, or research (rather than in the area of classroom instruction) with the exception of the President.
3. “Days” means calendar days unless expressly designated otherwise.

Informal Resolution Process

Individuals are encouraged to pursue informal resolution of their grievance by presenting the grievance directly to their supervisor within ten (10) days from the time the grievant became aware of the act, omission, or condition, which gave rise to the grievance. The supervisor will issue a response within ten (10) days of notification of the grievance.

Formal Resolution Process

In a formal grievance resolution process, all complaints, responses and decisions must be made in writing within the specified time limits. If a decision is not issued within the designated time limit, the grievant may submit the grievance to the next step or agree to an extension of time for the issuance of a decision. Any agreement to time extension must be stated in writing. In the event the grievant also seeks resolution in another forum, OIT may elect not to proceed with the grievance process.

- a. A written grievance must be submitted to the grievant's immediate supervisor within thirty (30) days of the grievant first learning of the alleged act, omission, or condition which gave rise to the grievance. Should the employee engage in the "Informal Resolution Process" set forth above, this thirty (30) day period may be extended by the employee's supervisor; however, this extension may not exceed a total of ten (10) days beyond receipt of the supervisor's informal resolution response. The supervisor will issue a written decision to the grievant within fourteen (14) days of receipt of the written grievance.
- b. Should the grievant be dissatisfied with the decision of the supervisor, the grievant may appeal that decision to the appropriate Vice President. Such an appeal must be filed within ten (10) days of the date of mailing of the supervisor's response. The Vice President may delegate responsibility for investigation of the grievance to a third party who will present written findings and recommendations to the Vice President. In either event, the Vice President will issue a written decision to the grievant within fourteen (14) days of the Vice President's receipt of the appeal.
- c. Should the grievant be dissatisfied with the determination of the Vice President, an appeal may be filed with the President. Such an appeal must be filed within ten (10) days of the date of mailing of the Vice President's decision. The President may conduct a review on the record and/or supplement the record in the manner deemed appropriate and necessary by the President, in the President's sole discretion, in reaching a determination. The President may delegate authority and/or action in the process of resolving the grievance. The President will issue a written decision to the grievant, the Vice President and the supervisor/department head no later than thirty (30) days from the original date of the submission of the grievant's appeal to the President. The decision of the President will be final.

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Recommended:

Administrative Council – 9/2/98
President’s Council – 11/17/98

Approved: _____
President

Date: _____
November 17, 1998