

**TEXAS STATE TECHNICAL COLLEGE
COLLEGE OPERATING PROCEDURE**

2.4.2

CAMPUS:	Marshall	Page 1 of 3
TITLE:	Non-Disciplinary Grievance Procedures	
OFFICE OF RESPONSIBILITY:	Human and Organization Development	
APPROVED BY:	Mr. Randall E. Wooten	
TITLE:	President	Date: March 21, 2007

STATUS: New COP 03/12/01
Revised: 08/09/02 for TSTC – Marshall
Revised: 08/16/06
Revised: 03/21/07

PRACTICE:

It is the practice of Texas State Technical College Marshall to provide its faculty and staff with a process for expressing grievances.

PROCEDURES:

An employee who has a grievance should discuss the matter orally with his/her immediate supervisor. A grievance must allege a violation of a specific College rule, regulation, policy or practice pertaining to the employment relationship between the grievant and the College. Discretionary actions, such as salary adjustments and performance evaluations, may not be grieved, except to determine (1) whether the discretionary action was made in accordance with relevant College rules, regulations, policies, practices, procedures, or criteria; and (2) whether the action constitutes a clear abuse of discretion. A grievance may not be directed against another employee as an individual.

Any complainant who will have a representative present at any of the meetings outlined in the procedure shall notify the person with whom the meeting will be held, or the

Director of Human Resources, Safety & Risk Management at least five days prior to the meeting. If a complainant appears with a representative without having given the proper notice, then the college may postpone the meeting for the purpose of having a representative present.

The documented grievance must identify:

1. The person(s) grieving and his/her employment status;
2. The action being grieved; and
3. The specific college rule, regulation, policy, or practice pertaining to employment alleged to have been violated.

The grievance must be mailed (by certified mail, return receipt requested) or hand delivered within five working days of the receipt of the unsatisfactory decision of the preceding step. Grievances not appealed in accordance of this procedure shall be deemed settled.

STEP 1.

The employee should request a meeting with his/her immediate supervisor to discuss the grievance within 5 working days of the incident, or when the employee first became aware of the incident, that is the subject of the complaint.

STEP 2.

If the discussion with the immediate supervisor does not resolve the grievance, the employee may, within five working days of the discussion, present the grievance in writing to the head of the employee's department or similar administrative unit. The employee will be advised of the decision by the department or unit head within ten working days after receipt of the grievance.

STEP 3.

If the decision received from the department or unit head is unsatisfactory to the grievant, the complainant may appeal the decision within five days of receiving the Step 2 decision, by forwarding the written grievance and any accompanying documentation to the next level of supervision within the department. Within ten days of the receipt of the grievance, the upper-level supervisor or his/her-designee shall issue a decision in writing to the complainant and the department head.

STEP 4.

If the grievance is not resolved in Step 3, the upper-level supervisor or his/her designee will forward the grievance to the President. The President shall review the grievance and make a decision concerning its merits. A written decision of the President will be sent to the grievant within ten (10) working days after receipt. The decision of the President is final.

The written complaint, any response of upper-level supervisors, and the decision of the President, shall be made a part of the employee's personnel file.