

(SECTION 700) INTERNAL PROBLEM RESOLUTION

701 PROBLEM RESOLUTION

Employees are encouraged to participate in an informal resolution process. The informal resolution process may be utilized by consulting with an employee's supervisor, Human Resources, Employee Assistance Program (EAP), the University's Ombudsperson or as the situation dictates, with EEO and Diversity Affairs.

In the event that any of these processes are not successful, the employee may initiate a formal complaint through Human Resources or EEO and Diversity Affairs.

701.1 Staff Grievance Procedure

The purpose of the Kennesaw State University Staff Grievance Procedure is to provide a fair and efficient process to resolve employee grievances.

701.2 Availability of a Grievance Procedure

The Informal Staff Grievance Procedure is available to all classified employees or administrative officers. The Staff Grievance Procedure is not available to faculty, students or non-University employees (consultants, contractors, etc.).

The Formal Staff Grievance Procedure is available to regular employed Administrative Officers and Classified Staff who have completed their provisional employment period.

The Staff Grievance Procedure may be used by an eligible employee to bring a grievance about:

- an action or decision that is inconsistent with a specific University rule, regulation or policy;
- a suspension, demotion or other disciplinary action(s); or
- an involuntary termination (involuntary terminations do not include resignation or retirement)

This Grievance Procedure may not be used to bring a grievance about:

- performance evaluations;
- flexible work option(s) decisions;
- reductions in force;
- salary and position classification determinations;
- organization of a department or allocation of its resources;
- termination of funding; or
- non-renewal of a limited term position

Complaints regarding allegations of discrimination on the basis of race, color, religion, national origin, sex, age, sexual orientation, veteran status or disability should be directed to the Kennesaw State University Division of Legal Affairs and Diversity.

701.3 Grievance Resolution Procedure

701.3a – Informal Procedure

The employee should attempt to resolve the issue by discussing the issue with his/her immediate supervisor within five (5) working days of the incident. All discussions between the employee and the immediate supervisor concerning the grievance should be in private.

If these steps are unsuccessful in resolving the issue, the employee may present the problem or grievance to Human Resources. If the grievance alleges discrimination, the employee will be advised to present a statement of charges to the Director of Equal Employment Opportunity who will advise the employee of possible courses of action.

For problems or grievances not involving charges of alleged discrimination, Human Resources shall investigate and counsel with the employee and other persons directly involved in an attempt to resolve the issue.

701.3b – Formal Procedure

If an employee wishes to file a grievance, they must do so in writing within specific time limits. Human Resources or the EEO and Diversity Office staff will assist staff in the filing of a grievance and will provide the specific policy, process, time requirements, and related information.

If the grievance is not resolved through administrative channels, the aggrieved employee may submit a written request to the President for an impartial Board of Review to be appointed to hear the appeal. The aggrieved employee must submit the written request to the President within fifteen (15) working days from the date of notice that the administrative review process is complete.

The President shall, within 10 working days after receiving a written request, appoint, or have appointed in accordance with the approved and written grievance procedures, a five-member impartial Board of Review to hear appeals from employees.

The recommendation of the Board of Review shall be forwarded to the President for final decision. The President' decision will be final at the institutional level.

If the matter is not resolved to the satisfaction of the employee, he or she may file an application for review, in writing, to the Board of Regents within twenty (20) calendar days following the written decision of the President. The Board of Regents reserves discretionary authority to review all decisions made by the member institutions. The Board of Regents normally will only review extraordinary cases, such as those where proper procedures may have been violated, where the decision is unsupported by the facts, or where the decision violates University or Board of Regents policy. Any petition to the Board of Regents must be made within 20 days following the final decision of the President.

Employees should contact Human Resources for questions or clarification concerning the filing of a grievance or the grievance process.

702 DISCRIMINATION OR HARASSMENT COMPLAINT

Kennesaw State University is committed to creating and maintaining a community in which students, faculty and staff can work together in an atmosphere free of discrimination and discriminatory harassment. The University encourages employees to avail themselves of the resources available through the EEO and Diversity Affairs Office.

The Office serves as a resource for potential complainants and provides an investigatory function for discrimination grievances. One of the responsibilities of the Office is to uphold the laws that prohibit discrimination in education and employment. It is illegal to discriminate against a person because of that person's national origin, race, color, sex, religion, age or disability.