



Subject:	Staff Employee Grievances
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#### 504.1 Purpose

To establish a policy on staff employee grievances for the Office of the USTC Commissioner.

#### 504.2 Approval

USTC Board of Trustees approval: October 15, 2009. Revised: June 8, 2016; September 13, 2017.

#### 504.3 Policy

- 3.1 **Availability of Grievance:** The staff employee grievance process is available to all regular, full-time employees of the Commissioner's Office who have completed their probationary period. The staff grievance process is not available to at-will employees or other employees who may be excluded from this policy by employment contract. Probationary and temporary staff employees are considered at-will employees.
- 3.2 **Adverse Employment Actions:** The grievance process is available only for grieving adverse employment actions, which are defined as written warnings, suspensions without pay, demotions, involuntary terminations, separations, and reductions in force. A reduction in force is not grievable except insofar as it is alleged that policies have been violated.
- 3.3 **Confidentiality:** Information disclosed by an employee shall be treated as confidential insofar as it does not interfere with the legal obligation to investigate allegations of misconduct and to take corrective action, or as otherwise provided by law.
- 3.4 **Retaliation:** Employees shall not be subjected to retaliation for initiating the grievance process or for participating in the grievance process as a witness.
- 3.5 **Resolution**
  - 3.5.1 **Step I Grievance – Informal Resolution:** Regular employees who wish to pursue a grievance shall initially attempt to informally resolve the grievance with their supervisor. The grievant should present the grievance to the supervisor within five working days of the event prompting the grievance. The supervisor will respond to the grievance within five working days of that discussion.
  - 3.5.2 **Request to Progress to Step II:** If the grievant feels the matter cannot be discussed or resolved with the supervisor, the grievant shall inform the USTC Commissioner that he or she wishes to progress to Step II. In such cases, the USTC Commissioner should be notified within five working days of the event prompting the grievance.
  - 3.5.3 **Step II Grievance – Review by USTC Commissioner:** A Step II grievance is conducted by the USTC Commissioner. Upon receipt of the grievance, the USTC Commissioner will review the submitted documentation and



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recommendations, and issue a written decision within ten working days. In the event that the USTC Commissioner was involved in the action being grieved, an associate commissioner will review the recommendations and issue a written decision. This will be the final decision, and the matter will be considered closed.