

GRIEVANCE PROCESS

Section 1. Grievable Issues. An employee or the union may file a grievance for alleged violations of the terms or conditions of this Agreement not otherwise prohibited by function of this Agreement.

Section 2. Informal Resolution. Before initiating the first step of the grievance process, employees are encouraged to make at least one attempt to resolve the issue informally, and at the lowest level, if possible.

Section 3. Formal Resolution. Formal grievances will be processed by the Grievance Administrator. The Grievance Administrator is a representative in Employee and Labor Relations within the Office of Human Resources. Formal grievances must be in writing on the form attached to the Agreement in Appendix [] and must include at least:

- (A) The specific provision(s) in the collective bargaining agreement that the grievant believes to have been violated;
- (B) A statement describing the nature of the grievance, the approximate date of the events giving rise to the grievance, the names of identifiable persons involved, and any other information the grievant believes should be considered;
- (C) Whether a meeting with the decision-maker is requested; and
- (D) A suggested resolution to the grievance;
- (E) The name of the Union representative who is representing the grievant.

Grievances that do not include the above will not be accepted or processed as a grievance.

Multiple grievances making the same claim are prohibited. Multiple grievances related to the same incident or underlying facts are prohibited.

Section 4. Submission Timeline.

- (A) Regardless which step the grievance is filed, the initial grievance must be submitted no later than twenty-one (21) days calendar days from when the union or employee knew or reasonably should have known about the incident or problem giving rise to the grievance.
- (B) Grievances seeking to challenge a previous decision-maker's decision at a lower step shall submit their grievance at the next step within seven (7) calendar days of the previous step's decision.
- (C) Grievances not submitted according to the above timeline will not be accepted or processed as a grievance.
- (D) The Union and University may agree to modify the time limits in any step of the grievance procedure. Agreements to modify time limits shall be in writing.

Section 5. Grievance Procedure.

- (A) All grievances shall be submitted at Step 1, except for the following:

(1) Grievances related to disciplinary actions that include an economic sanction, suspension, or are related to a layoff may be filed directly at Step 2.

(2) Grievances related to terminations may be filed directly at Step 3.

(B) Decisions, offers of resolution, or resolutions made during the grievance process are non-precedential and shall not be cited by either party in future grievances or proceedings related to a grievance. Additionally, decisions, offers of resolution, or resolutions made during the grievance process shall not be considered a change in practice under this Agreement notwithstanding COMPLETE AGREEMENT and ORS Chapter 243 and shall not be a basis for bargaining or other obligations.

(C) Grievances shall be filed and processed accordingly:

Step 1 Grievances. Immediate Supervisor. Step 1 grievances shall be submitted to the Office of Human Resources by emailing grievances@uoregon.edu and cc'ing the employee's immediate supervisor in the role the employee held at the time the basis of the grievance occurred.

If the grievant or supervisor believes that the supervisor has a conflict of interest in hearing a Step 1 grievance, either party may consult with the Grievance Administrator to determine if an alternative decision-maker is appropriate. The Grievance Administrator's decision whether to appoint an alternative decision-maker is final. A grievance related to discipline or an employment action taken by the immediate supervisor does not necessarily constitute a conflict of interest.

The grievant must indicate in the Step 1 grievance filing whether a meeting with the supervisor is requested. If a meeting is requested, the supervisor will meet with the grievant within ten (10) calendar days of submission of the written grievance.

Unless otherwise stated, the Step 1 decision-maker will send a decision in writing to the grievant within twenty-one (21) calendar days from the receipt of the written grievance or the conclusion of the meeting with the Step 1 decision-maker, if a meeting is held.

Step 2 Grievances. Dean, VP, or Designee. If the grievant is not satisfied with the decision at Step 1, or if the grievance is appropriately filed initially at Step 2, the Step 2 grievance shall be filed with the Grievance Administrator by emailing grievances@uoregon.edu.

The grievant must indicate in the Step 2 grievance whether a meeting with the decision-maker is requested. If a meeting is requested, the decision-maker shall meet with the grievant within twenty-one (21) calendar days of receipt of the written grievance.

Unless otherwise stated, the Step 2 decision-maker will send a decision in writing to the grievant within forty-five (45) calendar days from the receipt of the written grievance or the conclusion of the meeting with the Step 2 decision-maker, if a meeting is held.

Step 3 Grievances. President or Designee. If the grievant is not satisfied with the decision at Step 2, or if the grievance is appropriately filed initially at Step 3, the Step 3 grievance shall be filed with the Grievance Administrator by emailing grievances@uoregon.edu.

Except for grievances filed directly at Step 3, there is no meeting during this stage of the process. If a grievance is filed directly at Step 3 and a meeting is requested, the decision-maker shall meet with the grievant within twenty-one (21) calendar days from the receipt of the written grievance.

The Step 3 decision-maker will send a decision in writing to the grievant within forty-five (45) calendar days from the receipt of the written grievance or the conclusion of the meeting with the step 3 decision-maker, if a meeting is held.

The Step 3 decision-maker's decision is binding. A decision-maker's response to the Step 3 grievance concludes the formal grievance process and there are no further internal reviews or procedures.

Section 7. Grievance Decisions. The grievance steps are not judicial in nature and attendees of the grievance meeting may not interfere with the process or unduly delay it. Grievance decisions are individualized determinations based on applicable facts and circumstances and do not constitute a past practice or any precedent for the disposition of other grievances.

Each decision-maker shall determine whether a violation of the terms or conditions of this Agreement occurred by using a more-likely-than-not standard. Subsequent decision-makers are expected to rely on the findings from the prior step decisions and are primarily reviewing whether those findings are supported by a preponderance of the evidence, whether there were procedural irregularities that affected the outcome of the matter, and whether there is new information that was not previously available that would affect the determination. At the decision-maker's discretion, information that was previously available but not submitted in the initial grievance may or may not be considered in subsequent steps in the grievance process.

If, at any step of the grievance procedure, the university fails to issue a response within the specified time limits, the grievance may be advanced to the next step of the grievance procedure. If the grievant or Union fails to meet the specified time limits, at any step of the grievance and procedure, the grievance will be considered withdrawn and it cannot be resubmitted. If the university fails to issue a response within the specified time limits for a Step 3 grievance, the Grievance Administrator will reassign the grievance to a new Step 3 decision maker.