
Grievance Procedures Overview



For Faculty and Administrative Professionals Options for Resolving Disputes

Colorado State strives to provide for the rapid and fair resolution of grievances stemming from the actions/decisions of supervising administrators that are claimed by faculty members or administrative-professionals to be unfair, unreasonable, arbitrary, capricious or discriminatory.

The University Grievance Officer is an independent university official charged with oversight of the resolution of *grievable* disputes (see chart below). The UGO focuses on the impartial resolution of the disagreement and does not serve as an advocate or a representative for either the grievant or the university. (See *Academic Faculty and Administrative Professional Manual* § K.12.)

Other offices on campus assist employees with the resolution of conflicts or disputes. See the separate UGO fact sheet on *Employee Resources for Dispute Resolution*.

The UGO facilitates the resolution of disputes four ways:

Consultation

The University Grievance Officer assists parties in a dispute by:

- Providing an outlet for expressing complaints
- Advising each party about their rights and responsibilities
- Answering questions about the policies and procedures outlined in Section K
- Determining whether a dispute potentially qualifies as a Class A or Class B grievance (see chart below)
- Advising parties about potential options and probable outcomes

Conciliation

As appropriate, the UGO can assist grievants by

- Suggesting or facilitating contact with the responsible administrator

- Referring grievants to other campus resources
- Facilitating the resolution of problems through formal mediation or a formal grievance hearing, as described below

Important: Faculty members or administrative professionals who might wish to pursue formal resolution of a grievance must notify the University Grievance Officer within 20 working days of the date on which the action/decision was announced or discovered.

Mediation

If informal efforts to resolve a conflict are unsuccessful, a grievant or administrator in a dispute may request that the UGO appoint a University Mediator (*Faculty/AP Manual* §K.8, § K.13).

University Mediators, who are appointed annually, work directly with the principals to resolve conflicts.

Typically, a University Mediator will:

- Hold preliminary meetings with mediation participants to determine whether mediation efforts can reasonably result in resolution
- Enter into a period of good-faith negotiation with the affected parties
- Seek a negotiated resolution that will be outlined in a written agreement. Possible outcomes include acceptance, modification, or rescission of the supervisor/administrator's original action/decision.

Grievants are required to participate in mediation prior to requesting a formal Grievance Hearing.

Grievance Hearing

If mediation fails, a grievant can request a formal hearing conducted by a Hearing Committee composed of five colleagues recruited by the UGO from the University Grievance Panel.

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Depending on the employment classification of the grievant, the Hearing Committee will be selected *either* from the 21 members of the University Grievance Panel elected by Faculty Council *or* the 21 members elected by the Administrative-Professional Council (*Faculty/AP Manual* § K.11).

Requests for formal hearings must be submitted in writing to the UGO and responsible administrator no more than five (5) working days after the expiration of the mediation period. The written complaint must identify the nature of the grievable action, name the parties involved, and describe how the action/decision being complained about is unfair, unreasonable, arbitrary, capricious and/or discriminatory. The complaint must also identify how the decision or action adversely affects the grievant in his or her present or future academic and/or professional capacity. The grievant must also summarize the evidence the grievant is prepared to submit to support the claim (*Faculty/AP Manual* § K11.1). Formal hearings are conducted under guidelines found in the *Faculty/AP Manual* (§ K.9, § K.10).

Decisions by the Hearing Committee adverse to the grievant are final unless the grievant chooses to appeal the Hearing Committee’s decision. Other decisions are submitted for administrative review by the Provost and President. The University President has final authority to accept the Hearing Committee’s findings and to direct the redress of the grievance, or to reject the Hearing Committee’s recommendations (*Faculty/A-P Manual* § K.10.6).

Disclaimer

This overview is intended as a *summary* of the options available to faculty and administrative professionals and is provided for information purposes only. Refer to Section K of the *Academic Faculty and Administrative Professional Manual* for the authoritative description of policies and procedures as well as the rights and responsibilities of grievants. Information shared with the UGO is treated on a confidential basis, except to the extent that the UGO is required to disclose it by law and/or University policy. Additionally, the UGO may, at his/her discretion, report certain information to University and/or law enforcement officials, including but not limited to, violations of the law, violations of University policy, violent behavior (or threats of violence), misconduct in science, sexual harassment, discrimination, and/or retaliation.

**Grievable Actions Covered by Colorado State’s Mediation/Grievance Procedures
Academic Faculty and Administrative Professional Manual Section K.3**

Grievance Class	Description of Complaint	Specific Actions/Decision Covered	Party responsible for burden of proof
A	Decision, recommendation or action of an administrator is unfair, unreasonable, arbitrary, and/or discriminatory and that it does or will adversely affect the Grievant in his or her academic and/or professional capacity	Termination of contractual rights; reduction of salary; demotion, violation of academic or intellectual freedom; or assignment of unreasonable work loads	Responsible Administrator
B	Same as Class A	Terms or conditions of employment other than those that might be basis for a Class A grievance. Examples: reappointment, amount of salary, denial of promotion, denial of tenure, abuse of discretion, lower evaluation than deserved on annual review or denial of sabbatical leave.	Grievant

For information or assistance, contact:

University Grievance Officer

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