



University of Colorado at Boulder

Office of Labor Relations

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University of Colorado at Boulder Grievance Policy and Procedures

The University of Colorado-Boulder (UCB) grievance process is established for UCB and System Administration certified and probationary classified staff in permanent positions pursuant to Chapter 8 of the State of Colorado Personnel Rules and Procedures. These employees may grieve matters that are not otherwise directly appealable or reviewable by the State Personnel Board. Appealable matters include those that adversely affect current base pay, status or tenure. Grievances may not be initiated to address issues pertaining to leave sharing, discretionary pay differentials or final performance evaluations that do not result in corrective or disciplinary action. The grievance process is administered by the UCB Department of Human Resources, Office of Labor Relations (OLR). The grievance process is designed to address and resolve problems, not to be an adversarial process.

GRIEVANCE PROCEDURE

The grievance procedure consists of two steps. The first step is an informal discussion with the person against whom the grievance is filed. The second step is a formal process initiated by the grievant.

Grievances must be initiated within 10 calendar days of the action being grieved. To initiate the grievance process, the grievant must contact the OLR to schedule a meeting to discuss the grievance. Prior to or during this meeting, the grievant must complete the Grievance Form to indicate who and what the grievant wants to grieve and the remedy requested. The grievant will also need to provide any documents or paperwork that s/he wants to be considered during the grievance process.

After this meeting, the OLR will issue a Notice of Grievance to the grievant, which describes the steps and persons involved in the grievance process. Any documents submitted by the grievant will be attached. All grievance documents will be sent to the Step 1 respondent and the Step 2 decision maker. All grievance documents, including the Grievance Form, Notice of Grievance, Step 1 and Step 2 decisions and all supporting documentation submitted by the grievant, Step 1 respondent and Step 2 decision maker will be maintained in the grievant's official personnel file.

At any time during the grievance process, mediation may be requested through the OLR by either party involved in the grievance and may be provided by the CU Boulder Ombuds Office or the State Mediation Program.

Time frames designated in the grievance process may be waived or modified if agreed to by both parties.

Only issues set forth in the written grievance may be considered after the grievance is filed.

Any person may represent the grievant during the grievance process. The representative may participate and speak for the grievant; however, the grievant is expected to participate in the discussion during the process. If the grievant is represented by an attorney, a University attorney will also be present.

At the discretion of the respondent at Step 1 and the decision maker at Step 2, the parties may tape record the proceedings.

Step 1 Informal Discussion

The grievant has ten (10) calendar days from the date of the Notice of Grievance to initiate a meeting to discuss the grievance with the person named (the respondent) in Step 1 of the Notice of Grievance.

The respondent shall inform the grievant and the OLR in a signed, written document of the respondent's decision within seven (7) calendar days after the informal discussion. If the respondent's decision does not resolve the matter or if the grievant does not receive a written decision within seven (7) calendar days or by the date mutually agreed upon by the parties, the grievant may proceed to Step 2.

Step 2 Formal Process

Within five (5) calendar days of receipt of the Step 1 written decision, the grievant may initiate Step 2 by notifying the decision maker designated in Step 2, and the OLR, in writing, of his/her intent to proceed.

The Step 2 decision maker, in reaching a decision, may:

- Convene a meeting with the grievant;
- Consider only the submitted grievance materials;
- Appoint an objective person or panel to make recommendations; or
- Delegate the decision.

The Step 2 decision maker must issue a final, written decision within 30 calendar days of the initiation of the Step 2 process.

The Step 2 decision is binding unless the grievant files a petition for hearing with the State Personnel Board. The Board's decision to hear the petition for hearing is discretionary. The petition must be filed within 10 calendar days after receipt of the Step 2 written decision, or after the expiration of the 30 days or any extension period. The grievant must provide the Step 2 decision maker and the OLR with a copy of the petition. The petition must be addressed to: State Personnel Board, 633 17th Street, Suite 1320, Denver, CO 80202-3660. If the grievance involves an allegation of discrimination, written notice must be sent to the State Personnel Board within 10 calendar days of the alleged discriminatory practice.