

Standard Practice Guide Policies

Grievance Procedure and Dispute Resolution

201.08

Applies to: Regular and Temporary Staff Members, except those covered by the Faculty Appeal Procedure for Schools, Colleges, and other academic units, and those represented by a bargaining unit

I. Policy

An employee will be afforded the opportunity to file a grievance on matters associated with the employee's employment relationship with the University or to enter into a dispute resolution process to facilitate resolving misunderstandings and maintain positive work relationships. An allegation that an employee's rights under this policy have been violated also will be subject to review under the grievance procedure. (This procedure is not available for resolving disputes or concerns regarding the University's Benefit Plans. A separate procedure, administered by the Benefits Office, exists for those matters.)

II. Regulations

A. Pre-Grievance Counseling

Representatives of University Human Resources (i.e. Staff Human Resources, Mediation Services, Michigan Medicine Human Resources, Flint and Dearborn Human Resources), and, in situations when unlawful discrimination is alleged, a representative of the Office of Institutional Equity, will be available to counsel employees who believe they have a grievance.

The role of the counselor is to help the grievant identify the source of the problem and provide the grievant with information concerning University resources, policies and Standard Practice Guides, as well as information about protective state and federal laws and regulations which may have a bearing on the potential grievance.

B. Informal Resolution

The University will make a good faith effort to seek informal resolution of a problem brought to the attention of a Human Resources representative, through discussion and communication with the department or unit involved and with appropriate University officials. Employees and supervisory personnel are expected to consult with the appropriate offices and consider the option of mediation or other dispute resolution mechanisms before proceeding with the formal grievance process.

Efforts will be made to protect the privacy of persons involved to the extent possible.

Informal avenues for University employees to discuss work-related conflicts and resolve disputes are available from Human Resources. Specialized assistance using a trained mediator is available (see SPG 201.09, Mediation (<http://spg.umich.edu/policy/201.09>)). The use of any of these services will not deny a grievant continuing access to the prescribed grievance procedures.

Staff at Dearborn and Flint and within Michigan Medicine have access to the Informal Resolution option and may have other dispute resolution mechanisms available. Check with the appropriate Human Resources office.

C. Grievance Procedure

The Grievance Procedure is a three step management review process whereby employees may address matters associated with their employment in accordance with the procedures set forth in this Standard Practice Guide. The process begins generally with a conversation between the employee and his/her supervisor (step 1). If not resolved there, step 2 in the process is for the employee to submit his/her concerns in writing to the next level of supervision. The final step, if needed, is the University Review Committee (see Grievance Procedures (<https://hr.umich.edu/working-u-m/management-administration/uhr-procedures/20108-grievances-dispute-resolution>) and item 6 below).

1. Time Standards

Time limits set forth for filing and appealing grievances, must be strictly followed by the grievant. Mutually agreeable adjustments in the time period for holding a review meeting and in issuing an answer may be made due to the unavailability of a necessary party. The grievance is considered settled on the basis of the last answer if the grievant fails to appear at a scheduled review meeting or does not appeal on a timely basis.

When both parties in a formal grievance process request it, the time clock on the grievance procedure may be stopped for a time period satisfactory to both parties to allow for a good faith attempt to resolve the conflict or disagreement through mediation.

2. Modification

The progression from Steps 1 through 3 (see attached procedures) may be modified by the University by reducing the number of steps for grievance resolution where the origin of the grievance, the operational unit involved, or the content and scope of the grievance makes that progression impractical. In addition, at the option of the grievant, the grievance may begin at a level above the supervisor involved if the grievance alleges unlawful discrimination by such supervisor.

3. Assistance in Review Meetings

An employee may select any individual (except an employee who is included in a University collective bargaining unit or the grievant's immediate supervisor) to assist in the review meetings at Steps 2 and 3. If the assistant is a University employee, the assistant will not lose time or pay for attending meetings held during the assistant's normal working hours.

4. No Loss of Time or Pay

An employee's attendance at a grievance review meeting held during normal working hours shall be with pay. Any other time spent in formulating or preparing a grievance shall be done outside the regular work schedule and shall be without compensation.

5. Discipline Grievances

Grievances concerning discharge, disciplinary layoff, a written reprimand in lieu of a disciplinary layoff, alleged sex harassment or alleged unlawful discrimination will begin at Step 3.

6. University Grievance Review Committee

The University Grievance Review Committee includes the head of the aggrieved employee's operating unit, or a designated representative, who is responsible for the answer; an appropriate Director of Human Resources or a designated representative, who will preside and is responsible for conducting the review; and an employee not employed in the vice presidential or vice chancellor area in which the aggrieved employee works, who will be selected by the aggrieved employee from a panel appointed by the Vice Presidents and Vice Chancellors. When unlawful discrimination is alleged, the committee will also include a representative of the Office of Institutional Equity.

The conduct of the meeting is prescribed by the University. The employee will have an opportunity to present all relevant information to the University Review Committee during the meeting. The Committee will consider this

information in formulating its response. Participants should not expect that witnesses will be called, testimony taken or that the proceedings will be recorded electronically.

The University Grievance Review Committee may explore the context in which the grievance occurred and consider other remedies. When one or more members of the committee do not agree with the grievance answer proposed by the operating unit, the member(s) may present concerns to the appropriate Executive Officer or designee for review.

7. Limits on Financial Reimbursement

Except as otherwise specifically provided, University liability for back wages or other financial reimbursement is limited to the period of 30 calendar days prior to the University's knowledge of the facts brought to the University's attention through this procedure.

D. Cooperation/Non-Retaliation

These procedures are designed to provide a fair internal mechanism for resolving disputes of employees. The success of these procedures depends upon willingness of all members of the University community to participate when asked and to participate truthfully. An appeal under this procedure will not cause any reflection on the individual's status as an employee nor will it affect future employment, compensation or work assignments. Retaliation against an employee who participates in the grievance or any informal resolution process is prohibited. An employee who penalizes or retaliates against another employee may be subject to corrective action.

Grievance Procedures and Dispute Resolution Procedures can be found at [Grievance Procedures \(https://hr.umich.edu/working-u-m/management-administration/uhr-procedures/20108-grievances-dispute-resolution\)](https://hr.umich.edu/working-u-m/management-administration/uhr-procedures/20108-grievances-dispute-resolution).

Notes

This policy was reviewed in January 2013. No changes were made.

This SPG was updated on March 1, 2018 to update the name of the Health System to Michigan Medicine, and to provide a link to the Grievance Procedures.

File Attachments

Printable PDF of 201.08 Grievance Procedure

(<http://www.spg.umich.edu/sites/default/files/policies/201x08.pdf>)

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March 1, 2018

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March 1, 2022

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Owner:

Human Resources and the Office of the Provost and Executive Vice President for Academic Affairs

Primary Contact:

Staff HR

Related Policies:

Discipline (/policy/201.12)

Related Links:

Grievance Procedures (<https://hr.umich.edu/working-u-m/management-administration/uhr-procedures/20108-grievances-dispute-resolution>)

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