

# Louisiana State University

## Office of Facility Services

### Operating Instruction 5201

Revision: 5  
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**SUBJECT: GRIEVANCE PROCEDURE**

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**I. General Information**

- A. An employee who is seeking a solution concerning disagreements in work relationships, working conditions, employment practices or differences of interpretation of a policy may file a grievance. It is the University's policy that employee grievances should be resolved at the lowest administrative level. The three (3) steps in the grievance procedure are:
- B. The Office of Facility Services follows PS-1 (Grievance Procedures for Professional, Other Academic, and Classified Employees).

[http://appl003.lsu.edu/ups.nsf/\\$Reference/99F05BC4007067B986256D4B005AE9E1/\\$File/PS+80+R03.pdf](http://appl003.lsu.edu/ups.nsf/$Reference/99F05BC4007067B986256D4B005AE9E1/$File/PS+80+R03.pdf) (PS-80)

**Step 1**-The employee must present the written grievance to their department head within five (5) working days of the date of the alleged grievable action. The department head shall respond, in writing, to the employee within five (5) working days of receiving the grievance. A copy of the department head's response should be forwarded to the Facility Services Assistant Vice Chancellor (AVC) and Facility Services Human Resources Management (HRM) office.

The employee is strongly encouraged to discuss their concern(s) with their immediate supervisor before filing the grievance. Many issues can be resolved informally at the immediate supervisor level and without the need for a formal grievance.

Employees may also contact the LSU Office of the University Ombudsperson at 578-5324. An Ombudsperson is a neutral individual involved in conflict resolution, whose main function is to provide confidential and informal assistance to the university community.

The LSU Ombudsperson provides a confidential, neutral source for staff and faculty to raise issues and concerns, identify options, and request assistance to informally resolve workplace conflicts.

**Step 2-**If the employee is not satisfied with the decision made at Step 1 of the grievance procedure, the employee may appeal, in writing, within five (5) working days after receipt of the response to the Facility Services HRM office. The second step appeal should include the reason(s) why the first step decision is unsatisfactory. The appeal will be forwarded to the LSU Office of Human Resources Management.

The HRM representative will contact the employee as soon as possible, but no later than seven (7) working days, after receipt of the appeal, to schedule a hearing of the grievance. The HRM representative will notify the grievant and their department head of his/her decision within five (5) working days following the date of the hearing. A grievance alleging discrimination will be reviewed pursuant to PS-1 (Equal Opportunity) and/or PS-73 (Sexual Harassment)

[http://appl003.lsu.edu/ups.nsf/\\$Reference/E93A2F2B166AF22786256C250062AE9B/\\$File/PS01+R05.pdf](http://appl003.lsu.edu/ups.nsf/$Reference/E93A2F2B166AF22786256C250062AE9B/$File/PS01+R05.pdf) (PS-1)

[http://appl003.lsu.edu/ups.nsf/\\$Reference/290CD0650AD8E37486256C250062AE9F/\\$File/PS-73Rev4.pdf](http://appl003.lsu.edu/ups.nsf/$Reference/290CD0650AD8E37486256C250062AE9F/$File/PS-73Rev4.pdf) (PS-73)

NOTE: If an issue of prohibited discrimination is alleged in the grievance, the hearing officer will refer the issue of discrimination to the Office of Equal Opportunity Programs for the second step review. Resolution of these grievances will be coordinated with the LSU Office of Human Resource Management to ensure that HRM issues are addressed by that office. For issues of prohibited discrimination, the decision of OEOP/HRM may not be appealed further through the grievance procedures. However, the decision at the second step does not deprive the employee of the right to file a charge of discrimination with the appropriate state or federal agency.

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**Step 3-**If the employee is not satisfied with the decision at Step 2 of the grievance procedure, the grievant may appeal, in writing, to the Office of the Chancellor within five (5) working days after receipt of the HRM hearing officer's decision. The Step 3 appeal should include reasons why the Step 2 decision was unsatisfactory.

After reviewing the grievance file, the Chancellor or his/her designee may render a final decision on the grievance within ten (10) working days after receipt of the appeal or convene a Grievance Committee. Notice of the decision will be given to the employee, HRM and the department head.

## **II. Forms**

- A. Copies of the official form are available from HRM or via the policy on the LSU website. The form is to be used by all employees filing a grievance pursuant to this policy.

## **III. Time Limits**

- A. Time limits set out in this policy should be followed. Failure to adhere to the time limits shall result in the employee waiving all rights under the grievance procedure for the issue(s) raised in the grievance. Failure of the Department Head or HRM to adhere to the time limits or provide notice in writing of additional time needed to respond to the employee will authorize the grievant to move to the next step of the grievance procedure. However, the time limits described in this policy may be suspended, extended, or altered by the Chancellor or his/her designee.

## **IV. Employee Advisor**

- A. Employees shall have the right to have an LSU advisor of their choice present at each step of the grievance procedure. However, legal counsel will not be allowed to be present in any required meetings or hearings.

The advisor selected to represent the employee shall, at such times as approved by the advisor's supervisor, be granted the necessary time off without loss of pay and without charge to annual or compensatory pay during work hours to represent that grievant. However, the time needed by the grievant and/or his/her advisor to prepare for any step of the grievance should be done on the employee's time off or while in work status with supervisory approval.

**V. Union Members**

- A. Employees covered by a union agreement are covered by any grievance procedure outlined in the union agreement.

**VI. Retaliation**

- A. No employee is to take reprisal action against an employee who uses the grievance procedure, serves as an advisor, or participates in any way (e.g. witness) in the grievance process. Any employee violating this prohibition against retaliation may be subject to disciplinary action, up to and including, termination. Additionally, no LSU official may use his/her position to attempt to improperly influence the grievance process

**VII. Summary Disposition of a Grievance**

- A. A grievance which does not present a grievable issue or which is subject to summary disposition pursuant to Civil Service guidelines or which is untimely may be summarily dismissed. A request for summary dismissal must be approved by the Chancellor or their designee. All parties to the grievance will be notified in writing.

**VIII. Pre-Grievance Counseling**

- A. If you need assistance, please contact the LSU HRM office located in 304 Thomas Boyd at 578-8200. Coordination with this office will ensure that you are properly following the grievance procedures.

**IX. Non-Grievable Issues**

- A. Termination, non-renewal of contract or appointment and layoff
- B. Actions within the exclusive jurisdiction of the State Civil Services Commission, such as actions which impact pay, pay issues, suspension with or without pay, reduction in pay, denial of merit increase, demotion or position classification.