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# Conflict Resolution/Grievance Procedure

Misunderstandings or conflicts can arise in any work environment. To ensure effective working relationships, it is important that conflicts be resolved before serious problems develop. Many incidents resolve themselves naturally. If a situation persists, however, that you believe is detrimental to you or Pittsburg State University, you should follow the procedure described here.

Refer to the [Discrimination Grievance Procedure](#) when the grievance alleges discrimination based upon race, color, religion, sex, national origin, age, marital status or disabilities.

### 1. Step 1 - Discussion With Supervisor

You should first discuss the problem with your immediate supervisor. If you believe that a discussion with your immediate supervisor is not appropriate, you may proceed directly to Step 2.

### 2. Step 2 - Discussion With Department Head

If your problem is not resolved after the discussion with your immediate supervisor, or if you feel that a discussion with your supervisor is inappropriate, you are encouraged to request a meeting with your Department Head. In an effort to resolve the problem, your Department Head will consider the facts, conduct an investigation, and may also review the matter with the Director of HRS. You will normally receive a response regarding your problem within five (5) work days of meeting with your Department Head.

### 3. Step 3 - Review by Director of Human Resource Services

If you are not satisfied with your Department Head's decision and wish to pursue the matter further, you may request a review of the matter by the Director of HRS. You must request review within five (5) work days of the last action taken in Step 2. To request this review, complete a "[Conflict Resolution/Grievance Review Request](#)" form. The Director will review your request and will initiate mediation, if appropriate. HRS will send a copy of the Conflict Resolution/Grievance Request form to the appropriate Vice President or Department Head (in the President's division).

### 4. Step 4 - Request for Hearing Before the Disciplinary Appeals and Grievance Board

If the problem was not resolved at Step 3, you may request a hearing before the Disciplinary Appeals and Grievance Board. The request must be submitted to

Human Resources Services within five (5) work days of the last action taken in Step 3.

### **Overview of a Grievance Appeals Hearing**

1. The Disciplinary Appeals and Grievance Board should hear the grievance within 10 work days after the receipt of the request to appeal by the Director of Human Resource Services.
2. A Board member may recuse themselves if he or she feels that they cannot be fair and impartial.
3. Either party may provide reasonable justification that a Board member could not be fair and impartial. The PSU President will appoint an alternate if reasonable justification is provided.
4. The Board members will select a Chair who will oversee the hearing and will prepare the Board's decision.
5. The Board will determine reasonable time limits for opening and closing statements, witness testimony, and other aspects of the appeal hearing.
6. Both parties must provide a list of witnesses and a copy of any written material or evidence they plan to present at the hearing prior to the hearing. Each party will receive a copy of the other party's witness list and written materials, as well as any other information pertinent to the hearing. Board members will also receive a copy of all materials prior to the hearing.
7. The employee may have another PSU employee who will act as his/her spokesperson or advisor. The employee must provide the name of the PSU employee who will assist the employee in advance. The employee who will advise or speak for the employee must use approved leave to participate in the hearing.
8. If the employee retains legal counsel, the legal counsel may advise the employee during the hearing and may not act as a spokesperson for the employee. The employee must provide the name of the legal counsel who will attend the hearing in advance.
9. The hearing will not be recorded.
10. Each party will make an opening statement and closing statement.
11. After the opening statement, each party will present its information, material, and witnesses to the Board. Board members and both parties may ask questions of witnesses.
12. Assistance on procedural matters will be provided by a representative of Equal Opportunity or other designee as selected by the PSU President.

### **Board Report**

At the conclusion of the hearing, the Board will prepare a report to send to the appropriate Vice President or Departmental Head (President's Division) within seven (7) work days after the hearing. The appropriate Vice President or Department Head (in the President's Division) then notifies the employee in writing of the Board's decision within five (5) work days.

## **Appeal of Board's Decision**

If the employee is not satisfied with the Disciplinary Appeals and Grievance Board report, he or she may appeal either to the appropriate Vice President or Department Head (President's Division) or the PSU President. The appeal must be made within five (5) work days after receiving the Disciplinary Appeals and Grievance report. If the appeal is to the appropriate Vice President or Department Head (President's Division) they will review the matter and respond within seven (7) work days. If the appeal is to the President, the President will decide within seven (7) work days whether to consider the matter. The President will inform the employee whether the grievance will be reviewed. If the President reviews the grievance, the President will inform the employee of his or her decision within ten (10) work days. The President will make the final decision for the University.

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