



Ohio Administrative Code Rule 3358:17-22-04 Grievance procedure.

Effective: November 5, 2015

(A) Basis for the grievance procedure system.

- (1) The importance of a grievance procedure lays not so much in its frequent use as in the fact that it is available and can operate as a workable safety valve.
- (2) The grievance procedure should provide a mechanism for the development and maintenance of stable working conditions by resolving employee concerns arising over the interpretation and/or application of a workplace policy, practice or procedure.
- (3) The following issues are not grievable: introductory period actions, employee contract non-renewals, corrective actions up to and including termination; terminations resulting from reduction in force or grant stipulations, performance evaluations, the content of the college's published policies and procedures.
- (4) Grievance procedures should improve existing communication and create new channels of communication by establishing greater interaction between supervising personnel and employees. It should encourage discussion of policies and procedures by those who must work together.
- (5) The grievance procedure should eliminate problems before they arise. Where this cannot be accomplished, the aim is to minimize the severity of the problem. Where a complaint exists, the procedure to resolve differences should provide an orderly method of bringing the complaint to the surface so that it can be settled promptly and without discord.
- (6) This grievance procedure is not used for situations involving sexual harassment or any other form of discrimination. See appendix E to this rule for those procedures.

(B) Procedures of the grievance system.



The system is divided into informal and formal systems. Following are the steps for both systems:

(1) Informal grievance system.

(a) Step 1:

All employees are encouraged to discuss any working injustice with his/her immediate supervisor at the first sign of trouble or differences in opinion.

Realizing that each individual must be treated in such a manner as to maintain morale, the supervisor must allow the employee an opportunity to state the complaint completely and to make the aggrieved employee feel at ease and willing to give all the details of the complaint. In addition, the self-respect of the parties concerned must be maintained at a high level to insure cooperation when a final decision has been made. The complaint may be presented in the company of another employee if the complainant so desires.

This informal procedure should settle the complaint before it disrupts the work of other employees. Since all complaints may not be resolved in this manner, the following procedures have been developed to aid employees in airing work related complaints.

(b) Step 2:

The employee, the supervisor, or the department head may wish to have both parties to a grievance give an oral presentation of the matter before the appropriate administrator of the division. This should be done with the supervisor or department head in attendance. Again the employee may present his or her complaint in the company of another employee. The reviewing administrator should give an oral answer to the aggrieved employee within a reasonable time, not more than two working days.

(c) Step 3 (optional).

An optional step available to an employee recognizes that some types of complaints are of such a sensitive nature that the employee believes he/she is unable to discuss it with her/his immediate



supervisor or department head. In such cases, the employee may seek guidance from the office of human resources or any of the chief administrators of the organizational divisions of the college. This third party may act as a consultant providing information concerning policies, procedures, directives and regulations which apply, and may resolve the complaint or bring about a satisfactory understanding. This person may arrange a meeting between the employee and the supervisor or department head if possible. A summary of any such meeting should be written.

(2) Formal grievance system.

(a) Step 1:

If the complaint cannot be resolved in the manner above, the aggrieved employee shall ask that the matter be taken before the administrator in charge of that-operational section for a written presentation by both sides. Within fourteen working days after the aggrieved employee knew, or should have known of the matter giving rise to his/her complaint, the aggrieved employee must submit his/her complaint in writing to the administrator in charge. Thereafter the accused parties listed in the aggrieved employees complaint will be given seven working days to submit a written response to the administrator in charge. Within seven working days after receiving the timely written response, the administrator must supply a written answer to the aggrieved employee and the accused.

(b) Step 2:

Should the employee continue to be dissatisfied with the decision, the employee may submit a written grievance to the president. The written grievance must be received by the president, within seven working days of the employee's receipt of the administrator in charges decision. The president will render a written decision concerning the grievance within seven working days after receipt of the written grievance under this step. The president's decision shall be final.