

METROPOLITAN STATE COLLEGE OF DENVER
State Classified
Employee Grievance Procedures
Revised 10/05

Rule 8-5B states, “A permanent employee may grieve matters that are not subject to appeal or review by the Board or Director.” The grievance process is designed to address and resolve problems, not to be an adversarial process. Disputes, including grievances should be resolved at the lowest level and as informally as possible. Parties are encouraged to use alternative dispute resolution methods in an attempt to reach early solutions.

Employees who intend to initiate a grievance must notify the Human Resources office no later than 10 calendar days after the employee reasonably should have knowledge of the action/occurrence being grieved. The Human Resources office will be responsible for monitoring the grievance process at each step.

General rules apply to each stage of this process and include the following:

- Copies of all grievance materials must be sent to the Human Resources Office;
- If one party requests mediation in attempt to resolve differences, the other party must participate. Mediation stops the clock at any step in the process;
- Timeframes may be waived by mutual agreement of all parties; and
- An employee may be represented by any person of the employee’s choice at any step(s) of the grievance process. The representative may participate and speak for the employee. However, the employee is expected to participate in the discussion during the grievance process.

Accordingly, the following procedures shall be followed by all Classified Employees at Metropolitan State College of Denver:

Step 1—Informal (Verbal)

- A. Employee shall make an attempt to resolve the grievance through an informal meeting which shall be convened by the immediate Supervisor and, at the employee’s discretion, with the next level of supervision within 10 calendar days of knowledge of action/occurrence. If discrimination is alleged, the employee should also file a complaint with the State Personnel Board, 633 17th Street, Suite, 1320, Denver, CO, 80202.
- B. The immediate Supervisor and/or the next level of supervision shall attempt to resolve and inform the employee of their decision, in written format, within 7 calendar days after the discussion/meeting.
- C. If a timely decision is not issued, the employee may proceed to the next stage of the process.
- D. The decision reached at the informal stage shall be binding on the parties, unless the employee elects to proceed to the formal written process.

Step 2(a)—Formal (Written)

- A. If resolution at Step 1 does not resolve the matter to the employee's satisfaction, the employee may file a written grievance within 5 calendar days after conclusion of Step 1.
- B. The formal written grievance shall be sent either to the next level of supervision (if not involved in Step 1) or the Dean or Director. A copy of the written grievance is provided to the Human Resources office by the employee.
- C. The written grievance shall state the complaint, the actions the employee has already taken to resolve the matter, and the relief requested. Only the issues set forth in the written grievance shall be considered thereafter.
- D. The next level of supervision or the Dean/Director shall schedule a meeting, investigate the issues, and provide a written decision within 12 calendar days of receipt of the written grievance.

Step 2(b)

- A. If resolution at Step 2(a) does not resolve the matter to the employee's satisfaction, the employee may present a written grievance and a copy of the decision from Step 2(a) to the Vice President outside of the employee's work unit (employee must contact the Classified Human Resources Manager to determine which Vice President the grievance will be directed) within 3 calendar days after conclusion of Step 2(a).
- B. The Vice President shall schedule a meeting, investigate the issues, and draft a written decision to the President (Statutory Appointing Authority) within 12 calendar days after receipt of the employee's written grievance.
- C. The President reviews the written decision and either agrees or disagrees with the Vice President's decision within 3 calendar days from receipt. If there is disagreement, the President shall render a written decision to the employee within 3 calendar days from receipt of the written decision from the Vice President. The President's decision is final and binding unless the employee pursues the issue to the Board.

Step 3—Formal (External)

- A. If the employee is not satisfied with the decision rendered at Step 2(b), the employee may file a petition for hearing with the Colorado State Personnel Board, 633 17th Street, Suite 1320, Denver, CO 80202-3604, fax (303) 866-5038. The employee must state their petition in writing and include copies of all decisions rendered at Steps 2(a) and 2(b) within 10 calendar days after conclusion of Metropolitan State College of Denver's formal grievance process. Filing a petition for hearing can be accomplished by accessing and completing a *Consolidated Appeal/Dispute Form*. The form and instructions for completing it can be found at www.mscd.edu/facstaff/hr/forms.
- B. A copy of the petition for hearing must be also sent to the Human Resources office by the employee.

**METROPOLITAN STATE COLLEGE OF DENVER'S
GRIEVANCE PROCEDURE—Revised 10/05
Personnel Rules, Chapter 8, Rule 8B**

Step	Method	Timeframe	Employee	To	Management
1 Informal Process	Verbal	Within 10 calendar days of knowledge of action/occurrence.	Discusses problem <u>and</u> , if discrimination is alleged, files in writing with the Board	Immediate Supervisor and the next level of supervision at the Employee's discretion.	Attempts to resolve and inform employee of decision within 7 calendar days after grievance is initiated.
2(a) Formal Process	Written	Within 5 calendar days after conclusion of Step 1.	States complaint providing appropriate documentation and resolution requested.	Next level of supervision if not involved at Step 1. If they were, then Dean or the Director.	Schedules a meeting, investigates issues, and provides a written decision within 12 calendar days of receipt of written grievance.
2(b)	Written	Within 3 calendar days after conclusion of Step 2(a).	States complaint providing original grievance and copy of written decision from Step 2(a).	Vice President outside of the Employee's work unit and then the President to insure consistency.	Schedules a meeting, investigates issues, and provides a written decision to the President within 12 calendar days of receipt of written grievance. President agrees or disagrees with decision within 3 calendar days.
3 Board Review	Written	Within 10 calendar days after conclusion of Metro's formal process.	Files petition for review-- <i>Consolidated Appeal/Dispute Form</i> *-- with original grievance and final decision. Copy of petition sent to Human Resources.	Colorado State Personnel Board 336 17 th Street, Suite 1320 Denver, CO 80202-3604 Fax: (303) 886-5038	Review of the record by the Board; hearing is discretionary.

*Consolidated Appeal/Dispute Form can be found at www.mscd.edu/facstaff/hr/forms

- **Copies of all grievance materials must also be sent to the Human Resource's Office.**
- **Timeframes may be waived by mutual agreement of all parties.**
- **Request to mediation the issue stops the clock in this procedure. 8-9B rule states that, "if one party requests mediation in the grievance process, the other party must participate."**
- **An employee may be represented by any person of the employee's choice at any step(s) of the grievance process.**