

Chapter Eight:

Grievance & Conflict Resolutions

It is the goal of Cumberland University to resolve problems informally whenever possible, through effective communication. If problems or concerns cannot be resolved at the departmental level, Cumberland University provides ways for employees to have a systematic, timely, objective review and constructively resolve work-related concerns.

- Conflict Resolutions
- Grievance Procedure

CONFLICT RESOLUTIONS

Cumberland University understands that minor conflicts and disagreements can arise in working relationships, but recognizes that minor disagreements can escalate into major conflicts if not resolved. The University encourages the resolution of minor conflicts on an informal basis and in a timely manner. The University has an “open door” policy, meaning employees should feel free to talk with anyone in their line of supervision, or the Director of Human Resources, about work-related conditions.

The University strives to maintain an atmosphere of open, safe and cooperative communications. When disagreements arise, it is in everyone’s best interest to use effective communications techniques to discuss problems and their potential solutions, and arrive at mutually agreed upon processes to implement solutions. If appropriate, and all parties agree, the Director of Human Resources may be requested to enter the communication process and act as a facilitator. The services of the campus Counseling Center may also be used for free and confidential assistance in resolving conflict. Either resource can assist with any difficulties in communications and help co-workers, employees/supervisors, and departments resume effective, productive, and cooperative working relationships.

If disagreements or misunderstandings involving working conditions, employment practices, and/or difference of interpretations or implementation of policies cannot be resolved informally, the University’s formal grievance procedures may be pursued.

GRIEVANCE PROCEDURE

The University understands that problems involving employer-employee relations may arise occasionally, or that a faculty or a staff member may feel that a University, division, or

department policy has not been followed or administered in an appropriate manner, and as a result has been affected adversely. The University encourages effective communications between faculty and staff members and their immediate supervisors both to prevent and to resolve problems.

In order that faculty and staff members may be assured of fair consideration of their problems, a means of review and non-retaliatory appeal to higher levels of authority has been established. Problems or concerns regarding University rules, regulations, working conditions, or their applications, should be considered in the following manner:

Level One

1. The faculty or staff member should first attempt to adjust the grievance or resolve the problem through informal communication with his or her immediate supervisor. If the matter is not resolved to the faculty or staff member's satisfaction through informal discussion, he or she should present the grievance in writing to the immediate supervisor, describing the nature of the grievance and the adjustment desired. The grievance should be presented to the immediate supervisor within five (5) workdays of the occurrence. The immediate supervisor must respond in writing within five (5) workdays. If the grievance is resolved in this informal manner, no written record shall be placed in the faculty or staff member's Personnel File.
2. If the faculty or staff member is not satisfied with the resolution described in the immediate supervisor's written response, he or she must contact the Director of Human Resources in writing within five (5) workdays. The Director of Human Resources will then attempt to facilitate an informal resolution by responding to the faculty or staff member within five (5) workdays. If the grievance is resolved in this informal manner, no written record shall be placed in the faculty or staff member's Personnel File.
3. If the faculty or staff member is not satisfied with the informal attempts by the Director of Human Resources to resolve the matter, he or she may register a formal complaint with the Director of Human Resources or the Provost/Vice President for Academic Affairs, to request a Grievance Hearing. The request should be made within twenty days of the occurrence.

Level Two

1. The Grievance Hearing is intended to give both the faculty or staff member and the immediate supervisor an opportunity to air concerns and to determine whether actions that have been taken are consistent with University policy. The Director of Human Resources or the Provost/Vice President for Academic Affairs will appoint a Review Panel, consisting of at least three (3) members, who have no direct authority over the faculty or staff member. The Director of Human Resources will schedule a hearing at a time that is convenient for all parties, if at all possible.
2. The faculty or staff member and the immediate supervisor may invite witnesses who have direct knowledge of the events or circumstances surrounding the grievance. The Director of Human Resources may serve as a facilitator.
3. Because the Grievance hearing is an internal meeting that has been called to address workplace complaints or disputes and is not a formal legal hearing, it is not open to others outside the University community. An attorney may assist neither the faculty nor staff member, nor the immediate supervisor, nor the University at the hearing.

4. After the Grievance Hearing, the Review Panel has five (5) workdays to reach a majority decision and present a written response of a resolution.
5. Documentation of the Grievance Hearing and the Review Panel's written response shall be placed in the faculty or staff member's Personnel files, if appropriate.

Level Three

1. If the faculty or staff member is not satisfied with the resolution offered in the Review Panel's written response, he/she may file a written Appeal to the President, or the President's designee for hearing the appeal within five (5) workdays. The President's review must begin within ten (10) weekdays of the submission of the Appeal. The President may elect to interview any/all parties involved after reviewing the documentation.
2. After the President's review, the President has ten (10) days to reach a decision and present a written response. The President's decision is final.
3. Documentation of the Appeal, the Review Hearing, and the President's written response shall be placed in the faculty or staff member's Personnel Files.