

DATE: \_\_\_\_\_

**THE UNIVERSITY OF TENNESSEE  
GRIEVANCE FORM  
(Staff Non-Exempt)**

Employee Name \_\_\_\_\_ Signature \_\_\_\_\_  
(Please Print)

Job Title \_\_\_\_\_ Department \_\_\_\_\_  
Date Employee Received Notice of Disciplinary Action \_\_\_\_\_

**Statement of Grievance**

(See page two for types of grievances and steps to follow. Specify any statute or policy violated, and include attachments of supporting documents.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Remedy Recommendation**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Employee Representative \_\_\_\_\_

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**LEVEL 1**

**Discussion With Immediate Supervisor (Within 15 days of notice of adverse action)**

Date of Meeting \_\_\_\_\_ Supervisor's Decision and Rationale \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

The Above Response is \_\_\_\_\_ ACCEPTED \_\_\_\_\_ NOT ACCEPTED

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

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**LEVEL 2**

**Discussion With College or Unit Head (Within 15 days of notice of adverse action)**

Date of Meeting \_\_\_\_\_ Decision of College or Unit Head (Dean or Director) and Rationale \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Dean or Director's Signature \_\_\_\_\_ Date \_\_\_\_\_

The Above Response is \_\_\_\_\_ ACCEPTED \_\_\_\_\_ NOT ACCEPTED

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

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**LEVEL 3**

**Informal Hearing (Within 15 days of notice of adverse action)**

Date of Hearing \_\_\_\_\_ Decision of the Grievance Panel and Rationale \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Chair's Signature \_\_\_\_\_ Date \_\_\_\_\_

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## **GRIEVANCE PROCEDURE**

Only matters defined as grievances in Policy 640 are grievable. Matters not grievable include, but are not limited to, the following: job classification, pay, workers' compensation matters, performance evaluations, written and verbal warnings, terminations during the probationary period, terminations accomplished in accordance with the Reduction in Force policy and procedure statements, court ordered terminations, and challenges to the content of University policy or procedure.

Grievances alleging discrimination (including claims of racial and sexual harassment) in work assignments or conditions of work must be addressed first through the discrimination complaint procedure provided in Personnel Procedure 220: Equal Employment Opportunity and Affirmative Action. The procedure outlined below is available to an employee only if the resolution through the discrimination complaint procedure is not satisfactory to the employee.

### **PROCEDURE:**

A grievance must be initiated within fifteen (15) workdays after the employee receives notice or becomes aware of the action upon which the grievance is based. If the employee is not satisfied with the decision at any level, he/she must carry the grievance forward to the next level within fifteen (15) workdays after receiving the written decision. If the employee does not carry the grievance forward within fifteen (15) workdays, the grievance procedure shall be terminated and the grievance disposed of in accordance with the last written decision. For purposes of this procedure, the term "workdays" refers to Monday through Friday.

At every level, the employee may testify and present witnesses and materials in support of his/her position. The testimony of an employee, given either on his/her own behalf or as a witness for another employee, will not subject an employee to retaliatory action. At every level, the employee may be accompanied and represented by one other employee from the unit where he/she is employed. At the discretion of the panel chair, additional employees from the unit may be allowed at an informal hearing conducted at the final level. Neither the employee nor the University may be accompanied or represented by legal counsel except at a contested case hearing under the Tennessee Uniform Administrative Procedures Act (TUAPA). Employees requesting an informal hearing must provide a signed waiver, which will waive their right to a formal hearing under the Tennessee Uniform Administrative Procedures Act (TUAPA).

#### **Level 1 – Immediate Supervisor**

- a. Within 15 workdays after the employee receives notice or becomes aware of the action which is the basis for the grievance, the employee completes a Grievance Form (available through Human Resources), submits it to his/her immediate supervisor, and files a copy with Human Resources.
- b. Within 15 workdays after receipt of the Grievance Form, the immediate supervisor discusses the grievance with the employee in a face-to-face meeting.
- c. The supervisor responds with a written decision within 15 workdays after the face-to-face meeting. If the supervisor fails to respond, or the decision is not satisfactory to the employee, he/she may carry the grievance forward to Level 2.

#### **Level 2 – College or Unit Head (Dean or Director)**

- a. Within 15 workdays after receiving the written decision at Level 1, the employee submits the Grievance Form to the College or Unit Head (Dean or Director).
- b. Within 15 workdays after receipt of the Grievance Form, the College or Unit Head has a face-to-face meeting with the employee to discuss the grievance.
- c. Within 15 workdays after the face-to-face meeting, the College or Unit Head issues a written decision, including specific reasons for the decision. If the College or Unit Head fails to respond or the decision is not satisfactory to the employee, he/she may carry the grievance forward to Level 3.

#### **Level 3 – Informal Hearing**

- a. Within 15 workdays after receiving the written decision at Level 2, the employee submits the Grievance Form to the Executive Director of Human Resources who arranges for the grievance to be heard by a panel of unbiased University employees.
- b. The Grievance Panel shall include two representatives from the Employee Relations Advisory Committee, one from the Exempt Staff Council, the appropriate Vice President or Provost, and the Executive Director of Human Resources or his/her designees(s). The Panel shall hear the grievance within 15 workdays after the date on which the employee submits the Grievance Form to the Executive Director of Human Resources.
- c. Within 15 workdays after receiving the written decision from the Panel, the employee or supervisor may request that the decision be reviewed by the appropriate Vice President or Provost.