Complaint Procedure

A complaint is defined as an employee’s expression of alleged unfair or inequitable treatment with respect to the application of policies, procedures, and regulations which he/she has been unable to resolve with his/her immediate supervisor. For the purpose of this complaint procedure, an employee is defined as regular, exempt and non-exempt staff.

The following issues or concerns will **not** be addressed through the complaint procedure, as these issues have a defined mechanism to address an employee’s concerns. Those not included are: job classification, pay, workers’ compensation matters, terminations during probationary period, terminations accomplished in accordance with policy **HR0145 Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours**, court ordered terminations, terminations for inadequate work performance or gross misconduct.

Complaints related to demotion, suspension without pay, termination, work assignments, or conditions of work which the employee claims are **based on unlawful discrimination** (including claims of racial and sexual harassment) must be submitted through the Office of Equity & Diversity.

**Step One: Informal Resolution**

Employees are encouraged to attempt to resolve the complaint through administrative channels within the employee’s unit, beginning with the immediate supervisor. Human Resources (HR) will provide appropriate assistance to the complainant and/or affected unit in an effort to resolve the complaint. The nature of the complaint will be documented via the HR Employee Relations case management system noting any consultation and next steps (examples: mediation, move to step two of complaint process, etc.). Confidentiality will be maintained to the extent possible.

**Step Two: Documented Complaint**

If, after step one, the complaint is not resolved, the complainant may make a written complaint (see attached form) and submit it to HR if he/she wishes to initiate step two. If it is appropriate for resolution through the informal complaint procedure as stated above, HR will schedule a meeting with the college or unit head. The college or unit head, HR, and the complainant will meet to discuss the complaint and provide an opportunity for the unit head to become acquainted with the issue. At the meeting, the complainant may request to be accompanied by his/her Employee Relations representative. *If the college or unit head is the respondent (person of concern), HR will review next steps and approve any exceptions to this procedure (example: skip to step three).*

The college or unit head will provide a written response to the complaint to HR within 15 working days of the meeting. In consultation with the college or unit head, HR will then provide a written summary of the complaint. A copy of the signed complaint form and a written summary will be provided to the complainant, respondent(s), and college or unit head. A copy will be maintained in the HR Employee Relations case management system.

**Step Three: Appeal to Vice Chancellor or Provost**

If, after step two, the complaint is not resolved, the complainant may make a final appeal to the appropriate Vice Chancellor or Provost. The employee should submit a written request for appeal through HR. The appeal should include a copy of the initial complaint, the written summary from step two, and a statement of remaining unresolved issues or reason for the appeal. HR will submit the appeal to the Vice Chancellor/Provost for review.

The Vice Chancellor/Provost will provide a written response to the complaint within 15 working days of the meeting. This will include the disposition of the matter which shall be the final University decision. HR will assist with this process. A copy of the signed complaint form and written response from step three will be provided to the complainant, respondent(s), and college or unit head. A copy will be maintained in the HR Employee Relations case management system.

UTK-HR Employee Relations: October 2019
Complaint Form

A complaint is defined as an employee’s expression of alleged unfair or inequitable treatment with respect to the application of policies, procedures, and regulations which he/she has been unable to resolve with his/her immediate supervisor. For the purpose of this complaint procedure, an employee is defined as regular, exempt and non-exempt staff. The following issues or concerns will not be addressed through the complaint procedure: job classification, pay, workers’ compensation matters, terminations during probationary period, terminations accomplished in accordance with policy HR0145 Reduction in Force, Elimination of Externally-Funded Positions, and Reduction of Hours, court ordered terminations, terminations for inadequate work performance or gross misconduct. Complaints related to demotion, suspension without pay, termination, work assignments, or conditions of work which the employee claims are based on unlawful discrimination (including claims of racial and sexual harassment) must be submitted through the Office of Equity & Diversity.

Complainant’s Name: ___________________________ UT ID #: ____________ Phone: ____________
Department: ________________________________ UT ID #: ____________ UT ID #: ____________ Phone: ____________
Job Title: ________________________________ Date of Hire: ______________
Supervisor’s Name: ___________________________ Email: ______________

Describe your complaint in detail, please include the following information.

1. Describe the nature of the complaint. Include date(s) of each incident/occurrence and list any respondent(s) (i.e. persons of concern):

2. University policy or procedure potentially violated (if any):

3. How were you adversely affected?

4. List any actions taken via step one of the complaint procedure to resolve the issue(s).

5. Please provide any additional information you believe will assist in understanding this situation.

6. Suggestions or ideas for positive outcome(s):

Employee Signature: ___________________________ Date: ____________

Anti-Retaliation Policy
Human Resources reminds all parties of the University’s Non-Retaliation Policy. The University of Tennessee will not tolerate adverse treatment of its employees or students because of the filing of or providing of information related to a complaint. Any actions that may constitute retaliation should be reported to HR immediately.

UTK-HR Employee Relations: October 2019