



Employee Grievances

Purpose

To provide the mechanism for employees to bring complaints arising from the employment relationship to the attention of supervisors and officials at Stephen F. Austin State University.

Persons Affected

This policy applies to all classified employees, including probationary employees, temporary employees, and those hourly or per diem employees who work on an as needed basis. This policy does not apply to faculty, students employed in positions for which student status is a condition of employment, uniformed employees of SFA Police Department, or other employees subject to another approved grievance procedure.

Definitions

Grievance: a statement of complaint arising from the employment relationship together with a recommendation for resolution of the complaint that is identified as a grievance.

Policy

It is the policy of SFA to encourage fair, efficient, and equitable solutions for problems arising out of the employment relationship and to meet the requirements of state and federal law.

Retaliation Prohibited. *Texas Government Code* Section 554.002 states that “a state or local governmental entity may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of law by the employing governmental entity or another public employee to an appropriate law enforcement authority.” Therefore, employees shall not be penalized, disciplined, or prejudiced for exercising the right to make a complaint or for aiding another employee in the presentation of that complaint. However, the filing of a grievance will not constrain the university from taking appropriate employment action.

Procedures

1. Presentation to Supervisor. The employee shall informally present the complaint to his or her supervisor for discussion, consideration, and resolution within five (5) working days from the date of the action, which is subject of the complaint. If the supervisor is the subject of the complaint, the employee may address the complaint to the appropriate department head or administrative equivalent.
2. Presentation to Department Head. If the supervisor does not satisfactorily resolve the complaint within five working days, the employee may present the complaint in writing within five working days to the appropriate department head or administrative equivalent for consideration and action. The written complaint should be clearly identified as a grievance, contain a concise statement that explains the specific complaint, and contain



the employee's recommendation for attaining a sufficient remedy of the complaint. A written decision shall be mailed to the employee within five (5) working days of receipt of the complaint.

3. Presentation to Dean, Director or Administrative Equivalent. If the employee is not satisfied with the decision of the department head or administrative equivalent, a written appeal stating why the appealed decision is incorrect may be made to the appropriate dean, director or administrative equivalent within five (5) working days of the date of the appealed decision. A written decision shall be mailed to the employee within ten working days of the date of the appeal.
4. Presentation to Appropriate Vice President. Complaints not satisfactorily resolved by the dean, director or administrative equivalent may be appealed in writing to the appropriate vice president or administrative equivalent for the employee's department within five working days of the date of the appealed decision. The appeal shall state why the appealed decision is not correct. Within a reasonable time, not to exceed thirty (30) calendar days following receipt of the appeal, a written decision shall be mailed to the employee. This decision is final.
5. Employee's File. The written complaint and all decisions or responses regarding such complaint shall be a part of the employee's personnel file. A copy will be provided to the first-line supervisor and the director of human resources.

Related Statutes or Regulations, Rules, Policies, or Standards

U.S. Const. amend. V
U.S. Const. amend. XIV

Tex. Const. art I, § XIX

Tex. Educ. Code § 51.960
Tex. Gov't Code Ch. 554

Regents' *Rules and Regulations*, Rule 30602, Employee Grievance

Responsible Executive

President

Forms

Grievance Form

Revision History

September 1, 2023 (original)