

Florida Atlantic University

Regulation 5.009 Grievance Procedure

(1) GRIEVANCE POLICY STATEMENT

(a) Florida Atlantic University encourages a pro-

- b. Voluntary reduction in pay;
- c. Voluntary demotion;
- d. Receipt of Notice of Separation;
- e. Separation at the conclusion of a time limited position or notice period;
- f. Notice of layoff or furlough;
- g. Performance evaluations - unless it is alleged that the evaluation is based on factors other than performance.

2. The term “grievant” means a member of the instructional and research faculty; administrative, managerial and professional staff; or support personnel employee, not governed by a collective bargaining agreement, who has filed a grievance and whose rights have been directly affected by an act or omission of a supervisor or administrator at FAU. Only regular employees are eligible to file a grievance. Probationary, Acting, Visiting and Temporary employees do not have grievance rights.

3. The term “days” means calendar days. In the event an action falls due on Saturday, Sunday or a University holiday, the action will be considered timely if it is accomplished by 5:00 p.m. on the following business day.

4. The term “party” means FAU or the grievant.

(2) GENERAL GRIEVANCE PROCEDURE

(a) This general procedure applies to any grievance as defined above except for a grievance concerning a suspension or termination

(b) The general procedure is as follows:

1. Step One – Employees are encouraged to seek informal resolution before the formal filing of a grievance. All grievances shall be filed with the Department of Human Resources on a Florida Atlantic University Request for Grievance form, within 7 days following the act or omission giving rise to the grievance, or the date on which the grievant knew or reasonably should have known of such act or omission if that date is later, unless an extension is granted in writing by the Human Resources Director or designee for the purposes of facilitating informal resolution. The written grievance shall contain the following information: The grievant’s name, specific provision(s) of FAU Regulations, policies, statute or agreement claimed to have been violated, a statement of the grievance, including the acts or omissions which are claimed to have given rise to the grievance, the remedy sought, and the grievant’s signature. The designated Step One Representative shall be the Dean, Director or other equivalent or higher level administrator to whom the grievant reports, or their designee. The Step One Representative shall arrange a meeting, to be held within 10 days of the filing date, for the purpose of resolving the grievance. In advance of the Step One meeting, the grievant shall have the right, upon request, to a copy of identifiable documents relevant to the grievance. The Step One Representative shall have 7 days from the meeting to resolve the dispute to the satisfaction of both parties. The Step One Representative shall notify the grievant in writing of the decision.

2. Step Two – If the grievant is not satisfied with the Step One decision, the grievant may request in writing that the grievance proceed to Step Two. This request must be made within

(d) The employee may submit a written statement to be placed in his/her personnel file at the conclusion of the grievance process and is entitled to all other rights provided by applicable law.

Specific Authority: Article IX of the Florida Constitution, Florida Board of Governors Resolution dated January 7, 2003, 1001.706 FS., 1001.74(5) FS. History—New 7-6-81, Formerly 6C5-5.011, Amended 11-11-87, 11-9-05, 3-15-06, 3-18-09, 7-1-15.