NUMBER: A-5

TITLE: DISPUTE RESOLUTION PROCEDURE

POLICY: In order to promote good employee relations an employee of Southern Nazarene University must be given the opportunity to present their work-related complaints and to appeal management decisions through a dispute resolution or grievance procedure. The University will attempt to resolve promptly and effectively all disputes that are appropriate for handling under this policy. If the employee has a legitimate complaint, it shall be corrected. If nothing can be done, it shall be explained to the employee why nothing can be done.

PROCEDURE: An appropriate dispute is defined as an employee’s expressed dissatisfaction concerning any interpretation or application of a work-related policy by management, supervisors, or other employees. Examples of matters which may be considered appropriate disputes under this policy include:

A. A belief that the University policies, practices, rules, regulations, or procedures have been applied in a manner detrimental to an employee;
B. Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
C. Alleged discrimination because of race, color, sex, age, national or ethnic origin, marital status, or disability;
D. Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, or salary.

Employees should notify the Human Resources Manager, in a timely fashion, of any dispute considered appropriate for handling under this policy. The dispute procedure is the exclusive remedy for employees with appropriate misunderstandings. As used in this policy, the terms “timely fashion,” “reasonable time,” and “promptly” generally will mean five working days.

The dispute procedure has a maximum of three steps, but disputes may be resolved at any step in the process. Disputes are to be fully processed until the employee is satisfied, does not file a timely appeal, or exhausts the right of appeal. A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

Employees who feel they have an appropriate dispute should proceed as follows:

A. Promptly bring the dispute in writing to the attention of the immediate supervisor or manager. If the dispute involves the supervisor or manager, then it is permissible to proceed directly to step “B.” The supervisor is to investigate the dispute, attempt to resolve it, and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the dispute and proposed resolution. A copy of the summary should be sent to Human Resources within a reasonable time period.
B. Appeal the decision in writing to the Director of Human Resources if dissatisfied with the manager’s decision. Such an appeal or initial complaint must be made in a timely fashion. This appeal should include the complete details of the complaint and facts upon which it is based, stating specifically what policy or procedure was violated. The supervisor’s written summary shall be included. The employee should state the remedy or correction desired, sign and date the statement.

C. Appeal an unsatisfactory decision to the Administrative Officer over the area involved. The Administrative Officer will issue a written, final, and binding decision.

The Human Resources Director will provide training and support to managers in dealing with employee disagreements and problems. In addition, employees should be encouraged to consult with the Human Resources Director, their manager, or other members of management on a less formal basis regarding employee complaints or disputes when appropriate.

When appropriate, the decisions will be retroactive to the date of the employee’s original dispute. The final decisions on disputes will not be precedent-setting or binding on future disputes unless they are officially stated as University policy.

Information concerning an employee dispute is to be held in confidence. Managers and other members of management who investigate a dispute are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

Time spent by employees in dispute discussions with management during their normal working hours will be considered hours worked for pay purposes.

Employees are not to be penalized for proper use of the dispute procedure. However, it is not considered proper use if an employee raises disputes in bad faith or solely for the purposes of delay or harassment, or repeatedly raises meritless disputes. Implementation of the dispute procedure by an employee does not limit the right of the University to proceed with any disciplinary action which is not in retaliation for the use of the dispute procedure.

The University may, at its discretion, refuse to proceed with any complaint it determines is improper under this policy. Further, this policy does not alter the employment-at-will relationship in any way.