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LAKE-SUMTER STATE COLLEGE  
ADMINISTRATIVE PROCEDURE

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TITLE: EMPLOYEE GRIEVANCES

NUMBER: PRO 2-10

REFERENCE: Board Rule 2.02

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**I. RIGHT TO GRIEVANCE**

Lake-Sumter State College, through its District Board of Trustees and the College President, is committed to ensuring that all LSSC employees receive access to a fair and equitable grievance process without retaliation. The intent of this procedure is for the resolution of grievances at the lowest level possible.

**II. DEFINITION OF A GRIEVANCE**

- a. For purposes of this policy, a grievance is defined as the dissatisfaction that occurs when an employee believes a situation affecting the employee's terms and conditions of employment is unjust, inequitable, or creates a problem, other than one related to allegations of discrimination or harassment.
- b. All employees have the right to file a grievance. However, only employees who have attained regular status have the right to proceed with a grievance to a review and final decision of the President. Temporary and probationary employees, adjuncts, student assistants, and tutors may bring a grievance to the immediate supervisor. If the employee feels the decision of the immediate supervisor is unsatisfactory, the employee may bring the grievance to the next level supervisor, whose decision is final.

An employee has the right to file a grievance concerning a performance evaluation only with the allegation that the evaluation was done in an arbitrary or discriminatory manner. Management representatives shall not substitute their judgments regarding an employee's performance for that of the evaluator.

- c. The filing of a grievance does not impede or delay the College from taking the proposed action.

**III. TIME LIMITATIONS FOR GRIEVANCE**

The time limits established for this grievance procedure are maximum limits. The direction of all involved parties shall be toward resolving a grievance in the timeliest manner possible. Extensions to a time limit at any step must have prior approval of the President or designee. When a management representative fails to communicate a required decision within the specified time limit, the employee may proceed to the next step of the process. A failure on the employee's part to proceed to the next step, within the specified time limit established by this

policy, with or without a decision, shall be deemed a withdrawal of the grievance.

#### **IV. DOCUMENTATION**

All documentation will be placed in the employee's personnel file in the Human Resources office.

#### **V. STEPS IN THE GRIEVANCE PROCEDURE**

The Equity Officer or designee shall be available to assist with the resolution of the grievance at any step of the procedure, or to serve at any level where an immediate or next level supervisor is the department Vice-President or the President. Where the immediate or next level supervisor is the Equity Officer, a designee of the President will serve as grievance reviewer.

- a. Step 1: An employee (grievant) must file a grievance with the grievant's immediate supervisor either orally or in writing. The suggestion at this step is for the supervisor and grievant to communicate orally regarding the grievant's complaint.

The grievant has the responsibility of requesting a meeting with the immediate supervisor to discuss and attempt to resolve the grievant's complaint. The meeting must be requested within 60 workdays of the date when the employee learned or should have learned of the matter he or she disputes. The supervisor must communicate a written decision regarding this complaint to the grievant within five workdays of the date of discussion.

- b. Step 2: Where the grievant considers the Step 1 decision unsatisfactory, and wishes to continue with the grievance, the grievant must present the complaint in writing to the next level supervisor. The written grievance must be specific, indicating the terms and conditions of employment adversely affected, and what action is requested to resolve the grievance. The written grievance shall be filed with the next level supervisor within ten workdays of the immediate supervisor's Step 1 decision.

The next level supervisor shall fully investigate the complaint by conferring with the grievant and any other involved party, or party with knowledge of the facts of the complaint. The next level supervisor shall provide a written decision to the grievant within ten workdays of receiving the written grievance.

- c. Step 3: Where the grievant considers the Step 2 decision unsatisfactory and wishes to continue with the grievance, the grievant must file the written grievance and written decision with the Vice President of the grievant's division within ten workdays after receiving the Step 2 decision.

Within ten workdays of the submission by the grievant of the grievance at Step 3, the Vice President shall appoint a three-member Grievance Review Committee and select one of the members as Chair. The Grievance Review Committee shall meet and provide the Vice President within ten workdays after appointment of the committee a written

recommendation. Based on the Review Committee's recommendation, the Vice President shall issue a decision to the grievant within five workdays after receiving the recommendation.

- d. Step 4: Where the grievant considers the decision of the Vice President unsatisfactory, and wishes to continue with the resolution of the grievance the grievant shall file the written grievance and all responses with the President within ten workdays of receiving the Step 3 decision.

The President shall review the grievance and within ten workdays from receipt of the grievance, issue a final decision. The President's decision shall be binding on all parties and may not be appealed.

- e. ADMIN PRO 2-17 specifically covers discrimination/harassment/sexual harassment grievances.

New: 12/03/1997

Revised: 09/25/2001 Reviewed: 06/08/2009