

**UNIVERSITY OF MINNESOTA DULUTH  
GRIEVANCE PROCESS**

	<b>STEP I</b>	<b>STEP II</b>	<b>STEP III</b>	<b>ARBITRATION</b>
<p><b><i>AFSCME CLERICAL</i></b></p> <p>If there is a discrepancy between this document and a contract, the contract prevails.</p>	<p>Employers and supervisors are encouraged to attempt to resolve on an informal basis, at the earliest opportunity, a problem that could lead to a grievance. If the matter is not resolved by informal discussion, it shall be settled in accordance with the following procedure:</p> <p>Union steward presents request in writing for Step I meeting to employee's supervisor within twenty-one (21) calendar days of event or knowledge of event. Meeting shall be held within fourteen (14) calendar days of request.</p> <p>Supervisor shall then respond to the grievant in writing within fourteen (14) calendar days.</p> <p>[Note: Grievances involving discharge shall be initiated at Step II.]</p>	<p>If the grievance remains unresolved, the Union may submit it to Step II.</p> <p>Employee shall file Step II request in writing to Department Head within fourteen (14) calendar days of when the Step I response was due, also forwarding a copy of grievance and Step II request to UMD HR Director/designee.</p> <p>UMD HR Department representative schedules Step II hearing within fourteen (14) calendar days, to include grievant, Union representative, Department Head/designee, and UMD HR Director/designee.</p> <p>Within fourteen (14) calendar days of the meeting, Department Head shall provide a decision in writing to the grievant and the Union representative with a copy to UMD HR Director/designee.</p>	<p>If the grievance remains unresolved, the Union may submit it to Step III.</p> <p>Employee shall submit grievance to the Dean or equivalent Administrative officer within fourteen (14) calendar days of when the Step II response was due, also forwarding a copy to UMD HR Director/designee.</p> <p>UMD HR representative shall schedule a Step III hearing within fourteen (14) calendar days to include grievant, Dean or equivalent Administrative Officer at the next management level, the Union representative, and UMD HR Director/designee to discuss and attempt to resolve grievance. Dean or equivalent Administrative Officer shall provide a written response within fourteen (14) calendar days of the Step III hearing.</p>	<p>If unresolved within fourteen (14) calendar days of the Step III meeting, the Union may file a letter of intent to arbitrate within sixty (60) calendar days of when the Step III response was due. The letter shall be sent to UMD HR Director/designee.</p> <p>Within ten (10) calendar days from the Union's request for arbitration, the Union and University shall select an arbitrator from an agreed upon list of arbitrators. UMD HR representative shall schedule a hearing. The arbitrator shall issue his/her decision within thirty (30) calendar days of the arbitration hearing. Decision of arbitrator is final and binding, subject to review in accordance with the applicable standards for judicial review.</p>

**UNIVERSITY OF MINNESOTA DULUTH  
GRIEVANCE PROCESS**

	<b>STEP I</b>	<b>STEP II</b>	<b>STEP III</b>	<b>ARBITRATION</b>
<p><b><i>AFSCME TECHNICAL</i></b></p> <p>If there is a discrepancy between this document and a contract, the contract prevails.</p>	<p>Employers and supervisors are encouraged to attempt to resolve on an informal basis, at the earliest opportunity, a problem that could lead to a grievance. If the matter is not resolved by informal discussion, it shall be settled in accordance with the following procedure:</p> <p>Union steward presents request in writing for Step I meeting to employee's supervisor within twenty-one (21) calendar days of event or knowledge of event. Meeting shall be held within fourteen (14) calendar days of request.</p> <p>Supervisor shall then respond to the grievant in writing within fourteen (14) calendar days.</p> <p>[Note: Grievances involving discharge shall be initiated at Step II.]</p>	<p>If the grievance remains unresolved, the Union may submit it to Step II.</p> <p>Employee shall file Step II request in writing to Department Head within fourteen (14) calendar days of when the Step I response was due, also forwarding a copy of grievance and Step II request to UMD HR Director/designee.</p> <p>UMD HR Department representative schedules Step II hearing within fourteen (14) calendar days, to include grievant, Union representative, Department Head/designee, and UMD HR Director/designee.</p> <p>Within fourteen (14) calendar days of the meeting, Department Head shall provide a decision in writing to the grievant and the Union representative with a copy to UMD HR Director/designee.</p>	<p>If the grievance remains unresolved, the Union may submit it to Step III.</p> <p>Employee shall submit grievance to the Dean or equivalent Administrative officer within fourteen (14) calendar days of when the Step II response was due, also forwarding a copy to UMD HR Director/designee.</p> <p>UMD HR representative shall schedule a Step III hearing within fourteen (14) calendar days to include grievant, Dean or equivalent Administrative Officer at the next management level, the Union representative, and UMD HR Director/designee to discuss and attempt to resolve grievance. Dean or equivalent Administrative Officer shall provide a written response within fourteen (14) calendar days of the Step III hearing.</p>	<p>If unresolved within fourteen (14) calendar days of the Step III meeting, the Union may file a letter of intent to arbitrate within sixty (60) calendar days of when the Step III response was due. The letter shall be sent to UMD HR Director/designee.</p> <p>Within ten (10) calendar days from the Union's request for arbitration, the Union and University shall select an arbitrator from an agreed upon list of arbitrators. UMD HR representative shall schedule a hearing. The arbitrator shall issue his/her decision within thirty (30) calendar days of the arbitration hearing. Decision of arbitrator is final and binding, subject to review in accordance with the applicable standards for judicial review.</p>

**UNIVERSITY OF MINNESOTA DULUTH  
GRIEVANCE PROCESS**

INITIATING A GRIEVANCE	PHASE I	PHASE II	PHASE III	PHASE IV
<p><b><i>CIVIL SERVICE (NON-BU)</i></b></p> <p>A grievance is initiated by filing a written statement of the grievance with the Office of the University Grievance Office (UGO) within thirty (30) work days after:</p> <ol style="list-style-type: none"> <li>(1) the action being grieved occurred or commenced; or</li> <li>(2) the grievant received notice or had knowledge of the action being grieved, whichever is later.</li> </ol> <p>The written grievance must identify:</p> <ol style="list-style-type: none"> <li>(1) the person grieving and employment status;</li> <li>(2) the action being grieved;</li> <li>(3) the specific University rule, regulation, policy, or practice pertaining to employment, or provision of grievant's employment contract, alleged to have been violated;</li> <li>(4) the person responsible for the action, if known, and the unit; and</li> <li>(5) a proposed remedy which is within the authority of the University to grant.</li> </ol>	<p><u>Informal Meeting</u></p> <p>The purpose of the Phase I meeting is to facilitate grievance resolution through informal discussion and negotiation between the parties. The parties in this phase are the grievant and the administrator responsible for the action which is grieved.</p> <p>The UGO shall set an informal meeting with the grievant, the respondent, and the UGO within ten (10) work days from the date the grievance was filed, unless there are compelling reasons for delay.</p> <p>The UGO shall chair this meeting and explain the grievance process, including relevant time limitations. The UGO should facilitate communication of information between the parties, and may make settlement recommendations as appropriate. Such recommendations shall be made solely to assist the parties in reaching a speedy and fair resolution.</p>	<p><u>Meeting with Supervisor</u></p> <p>The purpose of the Phase II meeting is to facilitate grievance resolution by informing and involving higher University administration. The parties are the grievant and the supervisor of the Phase I University representative or a designee.</p> <p>The UGO shall set a meeting within ten (10) work days from the date of the UGO's receipt of the grievant's notice of intent to proceed, unless there are compelling reasons for delay.</p> <p>The meeting shall be attended by the grievant and an appropriate supervisor of the Phase I University representative. The Phase I University representative may appear at the request of the supervisor. The vice president for the unit in which the grievant is employed shall be notified by the UGO of the Phase II meeting, and has the authority to designate the appropriate supervisor to attend this meeting.</p> <p>The UGO shall chair the meeting and explain the grievance process, including relevant time limitations. If all parties agree, the UGO may continue to serve as a mediator in a settlement facilitating role.</p> <p>The Phase II meeting may be continued for a specified period of time to enable the parties to consider a proposed resolution by express mutual consent of the parties.</p>	<p><u>Panel Hearing</u></p> <p>The purpose of Phase III is to provide an internal evidentiary hearing by a three-person panel. The parties are the grievant and the vice president for the unit (or the president if the unit reports directly to the president). The vice president (or, if applicable, the president) may designate a representative to act on behalf of the University.</p> <p>The UGO shall convene the Phase III hearing panel. The panel shall consist of one member of the University Grievance Board chosen by the grievant, one designee of the vice-president of the unit in which the grievant is employed (or of the president, if the unit reports directly to the president), and one hearing officer from the Hearing Officers' Panel. The UGO shall select a hearing officer of the same employee category (faculty, academic professional and administrative, or civil service) as the grievant. If the grievant is a student employee, the hearing officer shall be from the faculty, academic professional and administrative, or civil service employee categories as determined by the student grievant. No panelist shall have a direct interest in the grievance.</p> <p>The grievant and the vice president's designee shall inform the UGO of their selections within five (5) work days after delivery of the intent to proceed to Phase III. The UGO shall promptly convey the names of the three panel members to all parties.</p> <p>The grievant and the University representative each have the right to preemptorily challenge the person selected as hearing officer by the UGO within five (5) work days of receipt of notice of the selection.</p> <p>The UGO will then select another hearing officer from the Hearing Officers' Panel. There is no further right to preemptory challenges.</p> <p>The UGO shall schedule the Phase III hearing within thirty (30) work days from the date of the UGO's receipt of the grievant's notice of intent to proceed, unless there are compelling reasons for delay.</p>	<p><u>Arbitration</u></p> <p>The purpose of Phase IV is to provide an opportunity for the parties to voluntarily engage in final and binding arbitration of a discovery dispute by a neutral arbitrator and of the grievance by a three-person panel. The representative parties are the grievant and the president or a designee.</p> <p>The UGO shall convene the arbitration panel. The panel shall be chaired by a neutral arbitrator who shall direct the course of the Phase IV hearing. The UGO shall obtain a list of five (5) arbitrators from the State of Minnesota Bureau of Mediation Services.</p> <p>Within ten (10) days of receiving the list, the grievant and University representative shall alternate in striking names from the list until a single arbitrator's name remains. The party to strike first shall be determined by the toss of a coin.</p> <p>In addition to the arbitrator, the panel shall consist of a University Grievance Board member selected by the grievant, and a designee of the vice president of the unit in which the grievant is employed.</p> <p>The parties shall inform the UGO of their panel member selections within five (5) work days of receipt of the list of arbitrators.</p>
	By express mutual consent of	Absent mutual consent, the Phase II meeting	The hearing officer will direct the course of the Phase III hearing. After	The UGO shall notify the panel members

**UNIVERSITY OF MINNESOTA DULUTH  
GRIEVANCE PROCESS**

INITIATING A GRIEVANCE	PHASE I	PHASE II	PHASE III	PHASE IV
<p><b>CIVIL SERVICE (NON-BU)</b> (continuation)</p> <p>The UGO shall forward a copy of the grievance to the person responsible for the action if identified, and if not, to the unit administrator within five (5) work days after the grievance is filed.</p>	<p>the parties, the Phase I meetings may be continued for a specified period of time to enable the parties to consider a proposed resolution. Absent express mutual consent, the Phase I meeting shall be deemed to conclude when the parties leave the meeting.</p> <p>Within five (5) work days of the conclusion of the Phase I meeting, the Phase I University representative shall submit a written answer to the grievance to the UGO and the grievant.</p> <p>If the grievant chooses to proceed to Phase II, the grievant must submit a written notice of intent to proceed to the UGO and the respondent within five (5) work days after the date the grievant received the Phase I written answer, unless there are compelling reasons for delay.</p>	<p>shall be deemed to conclude when the parties leave the meeting.</p> <p>Within ten (10) work days after the Phase II meeting concludes, the Phase II University representative must submit a supplemental written response to the grievance to the UGO and the grievant.</p> <p>Any jurisdictional challenges must be included in the supplemental response, if not already raised in the initial response.</p> <p>If the grievant is not satisfied with the supplemental response, the grievant must deliver a written notice of intent to proceed to Phase III to the UGO and the Phase II University representative within ten (10) work days after receipt of the Phase II supplemental response, unless there are compelling reasons to delay.</p> <p>The grievant may amend the grievance by delivering a written amendment with the notice of intent to proceed.</p> <p>If the grievant amends the grievance, the Phase I or II representative may file a written response to any new issues within ten (10) days of receipt of the amended grievance.</p>	<p>the Phase III hearing, the panel shall prepare a decision consisting of a statement of the issues, contentions of the parties, findings of fact, opinion and award, if any. A majority of the panelists is required to reach a decision. The decision shall be issued within thirty (30) work days of the close of the record, and shall be signed by the panel members concurring in it. The decision shall be sent to the UGO, who shall promptly distribute it to the parties and to the Senior Vice President for Academic Affairs.</p> <p>If the Phase III panel decision is favorable to the grievant, the University will implement it, unless the Senior Vice President for Academic Affairs delivers a written notice to the UGO and the grievant within ten (10) work days of the receipt of the Phase III panel’s decision stating that the decision is not acceptable and the reasons why it is not acceptable. In this event, the grievant may request Phase IV Arbitration.</p> <p>If the decision of the Phase III panel is not favorable to the grievant, the grievant may choose to proceed to Phase IV arbitration. If the Phase III decision is not acceptable to the University, or if it is not favorable to the grievant, the grievant must deliver a written notice of intent to proceed to Phase IV to the UGO and the Phase III University representative within ten (10) work days after the Phase III hearing panel decision, or the senior vice president’s notice, whichever occurred last, unless there are compelling reasons for delay.</p> <p>If the grievant chooses to proceed to arbitration, the grievant shall sign an acknowledgement of the voluntary choice to proceed to binding arbitration to resolve the grievance and/or discovery dispute, and shall waive and release all rights to pursue substantially the same claim in any other forum.</p>	<p>of their selection, and shall coordinate scheduling of the arbitration hearing.</p> <p>The neutral arbitrator shall conduct all preliminary hearings required to reach final decisions in discovery disputes over access to documents and information.</p> <p>The panel shall issue a written decision within thirty (30) work days from the date of the close of the record.</p> <p>A decision shall be made by a majority of the panelists.</p> <p>The decision shall be sent to the UGO, who shall distribute it to the parties promptly. The decision is legally binding.</p>

**UNIVERSITY OF MINNESOTA DULUTH  
GRIEVANCE PROCESS**

	<b>STEP I</b>	<b>STEP II</b>	<b>STEP III - ARBITRATION</b>
<p><b><i>LELS (POLICE)</i></b></p> <p>If there is a discrepancy between this document and a contract, the contract prevails.</p>	<p>Employee shall present grievance in writing to his/her supervisor within twenty-one (21) calendar days of occurrence, or within seven (7) calendar days when grievance involves suspension or discharge, setting forth the nature of the grievance, the facts on which it is based, the provision or provisions of the agreement allegedly violated, and the remedy requested.</p> <p>Immediate supervisor will discuss and give an answer to Step I grievance within ten (10) calendar days after receipt.</p> <p>A grievance not resolved in Step 1 shall be appealed to Step 2 within ten (10) calendar days after the immediate supervisor's final answer in Step 1. Any grievance not appealed in writing to Step 2 by the Union within ten (10) calendar days shall be considered waived.</p>	<p>To initiate a Step 2 formal resolution, in accordance with Step 1 time limits, the grievant and/or Business Agent must submit written grievance citing the Article(s) allegedly violated and specifying the desired relief to the UMD HR Director/designee within ten (10) calendar days of Step I response.</p> <p>Union Representative/Department schedules Step II hearing and the Union presents written grievance to the Department Head and/or his/her designee, also forwarding a copy to UMD HR Director/designee.</p> <p>Department Head shall give written response within ten (10) calendar days after Step II hearing.</p> <p>A grievance unresolved in Step II may be appealed to Step III - Arbitration within ten (10) calendar days following the Department Head's final Step II answer.</p> <p>Any grievance not appealed in writing to Step 3 by the Union within ten (10) calendar days shall be considered waived.</p>	<p>A grievance unresolved in Step 2 and appealed to Step 3 by the Union shall be submitted to arbitration subject to the provisions of the Public Employment Labor Relations Act of 1971, as amended.</p> <p>The arbitrator shall be selected in accordance within the "Rules Governing the Arbitration of Grievances," as established by the Bureau of Mediation Services.</p> <p>The arbitrator's decision shall be submitted in writing within thirty (30) days following close of the hearing. The decision shall be binding on both the Employer and the Union.</p>

**UNIVERSITY OF MINNESOTA DULUTH  
GRIEVANCE PROCESS**

	<b>STEP I</b>	<b>STEP II</b>	<b>STEP III</b>	<b>STEP IV - ARBITRATION</b>
<p><b>TEAMSTER</b></p> <p>If there is a discrepancy between this document and a contract, the contract prevails.</p>	<p>Union Steward presents request in writing to employee’s supervisor for Step I hearing within fifteen (15) work days from the date the employee, through the use of reasonable diligence, had or should have had knowledge of the event.</p> <p>Supervisor shall provide a written response to grievant within five (5) work days of receipt.</p> <p>Any grievance not appealed in writing to Step II by the Union within five (5) work days shall be considered waived.</p> <p>By mutual agreement of the UMD HR Director/designee and the Union, a grievance unresolved in Step I may be appealed directly to Step III, within five (5) work days of the supervisor’s Step I answer.</p> <p>[Note: Grievances relating to discharge shall be initiated at Step II. Step II may be waived at the option of the employer. These grievances must be initiated within ten (10) work days after receipt of termination notice.</p> <p>Grievances relating to suspension shall be initiated at Step II within fifteen (15) work days of occurrence.]</p>	<p>If appealed, the written grievance shall be presented by the Union to the Department Head within five (5) work days of receipt of Step I response.</p> <p>Department Head schedules a Step II hearing within ten (10) work days with grievant, supervisor, steward, and UMD HR Director/designee.</p> <p>Department Head shall give the Union their written response within five (5) work days after meeting.</p> <p>Any grievance not appealed in writing to Step III by the Union within five (5) work days shall be considered waived.</p>	<p>If appealed, the Union shall submit the written grievance to the UMD HR Director/designee within five (5) work days of receipt of Step II response.</p> <p>HR representative shall schedule a Step III hearing with grievant, Union, HR consultant, UMD HR Director/designee and Department Head/designee within thirty (30) work days.</p> <p>HR consultant shall give Union a written response within five (5) work days after such meeting.</p>	<p>A grievance not resolved in Step III may be appealed to Step IV (Arbitration). A written request must be submitted to UMD HR Director/designee within ten (10) work days of receipt of Step III response.</p> <p>The arbitrator is selected in accordance with the “Rules Governing the Arbitration of Grievances” as established by the Public Employment Relations Board.</p> <p>The arbitrator’s decision is submitted in writing within thirty (30) calendar days following close of the arbitration hearing. The decision shall be binding on both the employer and the Union.</p>