



## College Policy 6.07.01

### Internal Grievance Procedures

## Part 1. AFSCME

### Subpart A. Step 1 - Immediate Supervisor (Informal)

Pursuant to the AFSCME collective bargaining agreement, an AFSCME employee who believes the college has violated contractual provisions shall first attempt resolution of the grievance with the employee's immediate supervisor. The grievance need not be in writing and the college will not maintain a formal record of the step 1 grievance.

### Subpart B. Step 2 - Director of Legal Affairs as the President's Designee

1. In the event that the grievance is not resolved at Step 1 and the union pursues the matter through Step 2, the grievant or union representative must submit a written document and shall contain the following information:
  - a. A description of the facts that are the basis for the grievance;
  - b. A list of specific contract violations and a description of how the facts described constitute a violation;
  - c. A description of the attempts to resolve the matter at Step 1 through the grievant's immediate supervisor;
  - d. The remedy sought.
2. Director of Legal Affairs shall meet with the union representatives within 7 calendar days from the date of filing, pursuant to the provisions set forth in the collective bargaining agreement. If resolution of the grievance would have college-wide precedent-setting significance, the President will attend the Step 2 meeting.
3. Following the Step 2 meeting, the Director of Legal Affairs will prepare a proposed response to the Step 2 grievance and will submit the proposed response to the President for approval. Upon approval from the President, the Director will submit the response to the union representative within 7 calendar days from the meeting date, as established in the collective bargaining agreement.

### Subpart C. Step 3 - MnSCU

As set forth in the collective bargaining agreement, if the grievance is not resolved at Step 2, a grievant may pursue the matter by submitting a Step 3 grievance to the MnSCU System Office.

## Part 2. MSCF

Any faculty member in the bargaining unit either with or without the MSCF grievance representative on the campus may informally discuss a complaint on behalf of him/her self or other faculty members with the appropriate college administrator. Any settlement, withdrawal, or disposition of a complaint at this informal stage shall not constitute a binding precedent in the settlement of (similar) complaints or grievances. No complaint can become a grievance until it has gone through the informal procedure for handling complaints. Faculty members are encouraged but not required to resolve complaints on an informal basis with the employee's immediate supervisor at the earliest opportunity.

### Subpart A. Step 1 - Director of Legal Affairs as the President's Designee

If a complaint, which has gone through the informal procedure for handling complaints and has not been resolved at that level, falls within the definition of a grievance, it may become a grievance.

A grievance shall be in writing and filed on the official grievance form supplied by the MSCF or the Employer. The written grievance must be signed by the MSCF grievance representative on the campus in the case of individual faculty member grievances and in the case of chapter grievances. The written grievance must be signed by an MSCF representative in the case of multiple college or state level grievances.

The grievance shall set forth the nature of the grievance, the contract provisions violated, the facts on which the alleged violation is based, and the relief requested. The Director of Legal Affairs shall discuss the grievance within five (5) working days with the MSCF grievance representative on the campus at a time mutually agreeable to the parties. If the grievance is settled as a result of such meeting, (not necessarily at the meeting, may be after the meeting), the settlement shall be reduced to writing and signed by the Director of Legal Affairs and the MSCF grievance representative on the campus. If no settlement is reached, the Director of Legal Affairs shall give the Employer's written answer to the MSCF grievance representative on campus within five (5) working days following their meeting and shall also forward a copy to the chancellor's designee. A grievance for an action that does not occur at the college where the grievant is employed shall begin at Step 2 of the grievance procedure.

### **Subpart B. Step 2 - Appeal**

As set forth in the collective bargaining agreement, if the grievance is not settled in Step 1, and the MSCF desires to appeal, it shall be referred by the MSCF in writing to the chancellor's designee within fifteen (15) working days after the designated college president's answer in Step 1 is received or is due.

### **Subpart C. Step 3**

As set forth in the collective bargaining agreement, if the grievance is not settled in accordance with the forgoing procedure, the MSCF may appeal the grievance to arbitration within ten (10) working days after the answer of the chancellor's designee in Step 2 is received or is due by serving written notice of the appeal to the chancellor's designee.

## **Part 3. MAPE**

### **Subpart A. Step 1 - Supervisor (formal)**

A Step 1 grievance must be submitted in writing to the Immediate Supervisor. The supervisor must forward the grievance to the Director of Legal Affairs. The grievance must include the following information:

- A description of the facts that are the basis for the grievance;
- A list of specific contract violations and a description of how the facts described constitute a violation;
- The remedy sought.

The immediate supervisor will meet with the grievance representative, with or without the grievant, within 10 calendar days of the filing date, as set forth in the collective bargaining agreement.

Following the meeting, the supervisor will submit a written response to the grievance to the grievance representative within 10 calendar days of the meeting date. A copy will also be sent to the President's Office to be maintained in the official grievance files.

### **Subpart B. Step 2 - MnSCU**

In the event that the grievance is not resolved at Step 1 and the grievant pursues the matter through Step 2, the grievant or union representative must submit a written document to the President's Office. The written grievance must contain the following information:

- A description of the facts that are the basis for the grievance;
- A list of specific contract violations and a description of how the facts described constitute a violation;
- A description of the attempts to resolve the matter at Step 1 through the grievant's immediate supervisor;
- The remedy sought.

The Director of Legal and Administrative Affairs shall meet with the union representatives within 10 calendar days of the filing date, pursuant to the provisions set forth in the collective bargaining agreement. If resolution of the grievance would have college-wide precedent-setting significance, the President will attend the Step 2 meeting.

Following the Step 2 meeting, the Director will prepare a proposed response to the Step 2 grievance and will submit the proposed response to the President for approval. Upon approval from the President, the Director will submit the response to the union representative within 10 calendar days of the step 2 meeting date.

As set forth in the collective bargaining agreement, if the grievance is not resolved at Step 2, a grievant may pursue the matter by submitting a Step 3 grievance to the MnSCU System Office.

## **Part 4. MMA**

### **Subpart A. Step 1. Director of Legal Affairs as President's Designee**

A Step 1 grievance must be referred by the grievant's immediate supervisor to the Director of Legal Affairs. The grievance must include the following information:

- A description of the facts that are the basis for the grievance;
- A list of specific contract violations and a description of how the facts described constitute a violation;
- A description of the attempts to resolve the matter informally;
- The remedy sought.

The Director of Legal and Administrative Affairs shall meet with the union representatives, within 10 calendar days of the filing date, pursuant to the provisions set forth in the collective bargaining agreement. If resolution of the grievance would have college-wide precedent-setting significance, the President will attend the Step 1 meeting.

Following the Step 1 meeting, the Director will prepare a proposed response to the Step 1 grievance and will submit the proposed response to the President for approval. Upon approval from the President, the Director will submit the response to the union representative within 10 calendar days of the step 1 meeting date.

### **Subpart B. Step 2 - MnSCU**

If the grievance is not settled in Step 1 and the Association desires to appeal, it shall submit a written grievance to the MnSCU System Office as set forth in the collective bargaining agreement.

**Date of Adoption:** 7/1/1999

**Date of Implementation (if different from adoption date):**

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**Date and Subject of Revisions:**