



POLICY NAME	Staff Grievance Policy	POLICY NO.	CC602
APPROVING BODY	President/Cabinet	VERSION NO.	01
RESPONSIBLE DEPARTMENT	Compliance & Communications – Employee & Labor Relations		
EFFECTIVE DATE	01-JUL-2024	REVIEW/REVISION DATE	12-SEP-2024

PURPOSE:

While Western New Mexico University is committed to ensuring a positive working environment which fosters cooperative, effective working relationships for all employees, it recognizes that misunderstandings and disagreements may arise regarding terms and conditions of employment. The University has established a Grievance Policy and Procedure for those who have been adversely affected by any violation of policy or practice to seek resolution.

POLICY:

This policy provides guidelines for following each step of the Grievance process.

DEFINITION:

1. **GRIEVANCE** is a claim based upon an event or condition that adversely affects the terms and conditions of employment. Such a claim must have grounds for a formal complaint with the expectation of change or correction. A grievance does not include dissatisfaction with WNMU policy challenged on grounds that the policy is unfair or inadvisable. Nor is it intended for relationship-based conflicts.
2. **GRIEVANT** is the employee who files grievance under this policy and procedure.

ELIGIBILITY:

Any University employee classified as regular staff (not temporary or probationary) is eligible to file a grievance through this policy. This policy does not apply to faculty or employees covered by the Collective Bargaining Agreement.

The following are not grievable under this policy:

1. Discretionary acts of professional judgment relating to the evaluation of work performance of an employee by the supervisor. An employee who disagrees with their evaluation may attach comments for inclusion with their employee appraisal as part of their personnel file.
2. Situations where the exclusive remedy for the alleged violation exclusively resides in some agency, person, or authority other than the WNMU President.

3. Situations as to which the procedure within the University is prescribed by state or federal authority.
4. Situations where another more appropriate remedy has been provided by the WNMU President.
5. Claims of discrimination based on race/ethnicity, color, national origin, age, spousal affiliation, sex, sexual orientation, gender identity, medical condition, disability, religion, pregnancy, genetic information, veteran status, or any other basis protected by law should be reported to the Office of the Office of Civil Rights and Title IX.

PROCEDURE:

6. WNMU encourages all employees to resolve any grievance at the lowest level of supervision in an informal setting. Within five (5) working days of the grievable action, the grievant should bring the concern to their supervisor who will document the issue and the grievant's desired resolution. The supervisor will meet with the employee within five (5) working days after the information is provided to the supervisor. The Department of Employee and Labor Relations will be available in any step of the process to assist in this attempt.
7. If the grievant and the immediate supervisor are unable to resolve the grievance through step one, the grievant may discuss their concern with the next level supervisor, or designee, within five (5) working days of the meeting in Step 1. The next level supervisor, or designee, will have ten (10) working days to meet and provide a determination in writing to the grievant. The next level supervisor, or designee, will provide a copy of the determination to the Department of Employee and Labor Relations. The Department of Employee and Labor Relations will be available in any step of the process to assist in this attempt.
8. If the grievance remains unresolved, within ten (10) working days of the meeting in Step 2, the employee may submit a request for final review to the Department of Employee and Labor Relations. This final review will be done by the Divisional Vice President, Executive Director, or WNMU President, or designee, depending on the position. A written decision will be submitted to the grievant within a reasonable time of the request.
9. The WNMU President, or designee, may review any information regarding a grievance. Any decision provided by the WNMU President, or designee, will be considered a final decision.

WNMU will not tolerate retaliation, recrimination, discrimination, harassment, or other adverse actions because of an employee's use of the grievance process. Any retaliatory action of any kind taken by any WNMU employee against another WNMU employee because of such employee seeking to resolve a grievance under these procedures, cooperating in any investigation, or otherwise participating in any proceedings under these procedures is prohibited and shall be grounds for disciplinary action up to and including termination of employment.