



Office of Human Resource Management

GRIEVANCE PROCEDURES FOR CLASSIFIED STAFF

Effective 9/19/2024

PURPOSE

In compliance with State Civil Service Rule 3.1(m), this policy statement outlines the procedures for addressing grievances of classified staff at LSU Health Sciences Center New Orleans (LSUHSC-NO).

The grievance process serves as a mechanism for addressing employee concerns and is available to every active classified employee. It offers a structured approach to identifying the underlying causes of grievances and finding the most effective resolutions.

While LSUHSC-NO acknowledges the right of employees to formally lodge grievances, we strongly encourage employees to first attempt to resolve concerns informally by discussing them with their supervisory chain of command.

RESPONSIBILITIES

The Chief Human Resource Officer (CHRO) is the Appointing Authority and holds the primary responsibility for overseeing the grievance procedure as outlined in Civil Service Rule 3.1. This includes ensuring that every employee is well-informed about the grievance process and knows how to utilize it, as well as authorizing Employee Relations investigations into the matters addressed in the grievance if deemed necessary. Additionally, the Appointing Authority is tasked with keeping a comprehensive record of all grievances, which will be maintained within the Human Resource Management (HRM) Office.

There is no linkage between an agency grievance procedure and an appeal to the Civil Service Commission. A grievance is handled entirely within an agency, and the Appointing Authority's decision is final. Any employee who separately files an appeal to the Civil Service Commission after participating in the LSUHSC-NO Grievance Procedure may present as evidence in his or her appeal the outcome of the LSUHSC-NO Grievance.

Supervisors: Supervisors at every level are urged to seek informal resolutions to employee concerns and issues whenever feasible. In situations where informal resolution is not achievable, supervisors are mandated to follow through with the grievance process as stipulated by this procedure.

NON-GRIEVABLE ISSUES

The following actions are not eligible for grievance under this procedure:

- Issues that fall within the exclusive purview of the State Civil Service Commission, such as those affecting salary; reductions in salary; suspensions without pay; denials of market adjustments; involuntary demotions; or classification of positions.
- Termination, non-disciplinary removal, or layoffs of permanent employees.
- Decisions related to the allocation or reallocation of positions.
- The rejection of an application.
- Performance evaluations, although classified staff may challenge their performance ratings as per Civil Service regulations (as advised in Chapter 10 of the Louisiana Civil Service code).
- Disciplinary Actions, including grievances or objections to letters of warning, reprimand, or disciplinary action proposals, which should be addressed in writing and not via the grievance procedure.
- Failure to be selected for a position.
- Any employment action or decision that discriminates against an individual based on political beliefs, sex, or race.

It is the employee's responsibility to understand the distinction between an agency grievance and a Civil Service appeal. Each method has specific time limits for filing, and choosing the incorrect option could lead to the expiration of the appropriate time limit by the time the error is identified. If the mistake is identified after the deadline for the appropriate process has passed, the opportunity to rectify the situation may be lost without any possibility of extending the filing period.

STEPS IN THE GRIEVANCE PROCESS

Please note that if the subject of the grievance is the primary supervisor, employees are permitted to bypass Step 1 and directly advance to Step 2 by presenting their grievance to the Department Head/Chair or Unit Chief. Similarly, if the subject of the grievance is the Department Head/Chair or Unit Chief, employees may skip Step 2 and proceed directly to Step 3, presenting their grievance to the Appointing Authority or Employee Relations.

STEP 1

1. All grievances should be presented within fourteen (14) calendar days from the date the employee first became aware of, or should have become aware of, the cause of such a grievance. This submission can involve completing the LSUHSC-NO Grievance Form or sufficient written documentation of the cause.
2. The grievant will present the grievance to their immediate supervisor; and if

- possible, it should be settled at that level.
3. The immediate supervisor must provide a written response to the employee on the complaint within seven (7) calendar days.

STEP 2

4. Should the employee find the resolution offered in Step 1 unsatisfactory, or if a response is not provided within the prescribed time limit, the grievant may present the grievance in writing to their Department Head/Chair or Unit Chief. This escalation should include the reason why the grievant believes the solution presented by the immediate supervisor was unsatisfactory, if the supervisor responded within the prescribed time limit. The grievant shall present the grievance to the Dept. Head/Chair or Unit Head within the following period:
 - A. Within seven (7) calendar days following the date the employee received the supervisor's response, or
 - B. Within seven (7) calendar days following the date the supervisor's response was due, if the supervisor fails to respond within the prescribed time.
5. The Department Head/Chair or Unit Chief must perform their due diligence and afford the grievant an opportunity to present his or her viewpoint and provide the grievant a written response containing findings and recommendations within fourteen (14) calendar days of receipt of the written grievance.
6. Please note that, as mentioned earlier, if the subject of the grievance is the primary supervisor, employees are permitted to bypass Step 1 and directly advance to Step 2 by presenting their grievance to the Department Head/Chair or Unit Chief. All grievances presented directly to the Department Head/Chair or Unit Chief should be presented within fourteen (14) calendar days from the date the employee first became aware of, or should have become aware of, the cause of such a grievance. This submission can involve completing the LSUHSC-NO Grievance Form or sufficient written documentation of the cause. The grievant will present the grievance to their Department Head/Chair or Unit Chief; and if possible, it should be settled at that level.

STEP 3

7. If the employee is not satisfied with the resolution proposed by the Dept. Head/Chair or Unit Chief, or if the second step response is not provided within the prescribed time limit, the grievant may then escalate their grievance through the Human Resource Management (HRM) office to the Appointing Authority or the designated third step representative for the agency (such as Employee Relations). This escalation should include the reason why the employee believes the solution presented by the Dept. Head/Chair or Unit Head was unsatisfactory, if the Dept.

Head/Chair or Unit Head responded within the prescribed time limit.

If the grievant does not know who the Appointing Authority is, the Human Resources Office can provide guidance. The grievant may escalate their grievance through HRM through the following period:

- A. Within seven (7) calendar days following the date the employee received the second step response, or
 - B. Within seven (7) calendar days following the date the second step response was due, if the second step response is not made within the prescribed time limit.
8. After reviewing the Grievance Form, the CHRO has the following option:
- (1) Conduct a hearing. (The grievant is given at least five (5) calendar days advanced notice of the hearing. The hearing is to take place during regular business hours at a place accessible to the grievant) or,
 - (2) Initiate an investigation led by Employee Relations if deemed appropriate, or
 - (3) Review the first & second step responses and then issue a written decision within 21 calendar days following the date the grievance entered the third step.
9. Upon conclusion of the hearing, the Appointing Authority will make the final decision on the grievance. The employee will be provided with written notice of this decision within five (5) business days.

TIME LIMITS

The time limits specified in this policy must be adhered to. If an employee fails to meet these deadlines without valid justification, they may forfeit their rights under the grievance procedure for the issues raised. Similarly, if the LSUHSC-NO chain of command does not follow the established timelines or fails to provide written notice of the need for additional time, the employee will be authorized to proceed to the next step of the procedure.

With appropriate justification, the Appointing Authority or their designated representative may suspend, extend, or alter the time limits set forth in this policy.

RETALIATION

No employee may engage in retaliatory actions against any individual who utilizes the grievance policy, advises, or participates in the grievance process in any capacity. Employees found to be in violation of this anti-retaliation policy will be subject to disciplinary measures, which may include termination of employment.

Furthermore, no official at LSUHSC-NO is permitted to use their position to improperly

influence the outcome of the grievance process.

SUMMARY DISPOSITION OF A GRIEVANCE

A grievance that does not present a grievable issue or is subject to summary disposition according to Civil Service Guidelines or is not submitted timely may be dismissed.

The Appointing Authority or their designated representative must approve a request for summary dismissal. All parties involved in the grievance will be notified of the decision in writing.

PRE-GRIEVANCE COUNSELING

The LSUHSC-NO Office of HRM/Employee Relations may be contacted for information and counseling on the grievance process. Please contact 504-568-4947/504-568-1680.

APPROVED



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