2.1.11 Grievance Policy

Last updated on: 03/15/2012

Formerly Known As Policy Number: 22.10

This Guide memo outlines the policy to resolve employee complaints at Stanford through a formal grievance process and is designed specifically for regular employees as defined in the "Applicability" section. The Grievance Process is intended to supplement, not replace, routine and informal methods of responding to and resolving employee complaints.


Employee complaints covered by the Grievance Process include written corrective action and involuntary termination (including layoff) only. The Grievance Process does not include other employee complaints such as performance appraisals, compensation/benefits or job classifications.

Authority:
Approved by the Vice President for Human Resources.

Applicability:
Applies to all regular employees as defined in Guide Memo 2.2.2 [2]: Definitions. It does not apply to:

- Trial period, casual, or temporary employees (see Guide Memo 2.1.19 [3]: Administrative Review Policy)
- Employees covered by collective bargaining agreements, found at Labor Relations & Collective Bargaining [4].
- Academic staff-Research (see Research Policy Handbook [5])
- Senior staff (see Guide Memo 2.1.14 [6])
- Faculty (see Faculty Handbook [7])

1. Informal Resolution

Regular and effective communication between supervisor and employees reduces the likelihood of
misunderstanding and conflict. Stanford University expects and encourages supervisors and employees to communicate openly and regularly so that the interests of the employee and the University are best served. To support this commitment, the University has this Grievance Process and resource offices such as the local Human Resources Office, University Human Resources/Employee and Labor Relations, the Help Center and the Office of the Ombuds to assist employees in resolving employee complaints.

Before initiating Step 1 of the Grievance Process, the employee must make at least one informal attempt to resolve the complaint. If the employee feels uncomfortable in attempting to do this by him/herself, assistance is available through the local Human Resources Office, University Human Resources/Employee and Labor Relations, the Help Center or the Office of the Ombuds.

2. Formal Resolution

If the employee is unsuccessful in resolving his/her complaint informally, he/she may contact the Grievance Coordinator in University Human Resources/Employee and Labor Relations Department to file a formal grievance which typically involves a review by the Vice President of Human Resources (or designee) for resolution of the employee complaint.

3. Representation and Support

a. Self-Representation
The employee will act as his/her own representative at each step in the Grievance Process.

b. Support Person
The employee may choose to have a support person accompany him/her to the grievance hearing. The employee may select any one University employee who:

- is not employed as a lawyer,
- is both willing and able to work with the employee seeking grievance resolution without impairing his/her own work duties, and
- receives his/her supervisor’s approval.

c. Outside Representation
The Grievance Process does not allow for outside representation of any kind at any step of the process. If at any time before or during the Grievance Process the employee chooses to elect action related to the grievance issue(s) outside of the internal process (such as filing a charge with the EEOC, DFEH, other administrative body, or a lawsuit), the Grievance Process will be terminated without any decision being reached and to avoid the possibility of conflicting determinations.

4. Time Frames
All times frames indicated in the Grievance Process are computed in calendar days unless noted otherwise. All parties involved in the Grievance Process must adhere to the time frames specified. Exceptions to this rule will be handled on a case by case basis and must be approved by the Vice President of Human Resources (or designee). The period of the Winter Close is excluded from the time frames.

5. Administration

University Human Resources/Employee and Labor Relations have primary responsibility for administering and coordinating the Grievance Process. In addition, University Human Resources/Employee and Labor Relations is the primary source of assistance for employees and supervisors who have questions or concerns pertaining to the Grievance Process.

6. Protection Against Retaliation

No adverse action may be taken against any employee because of his/her participation in the Grievance Process.

Guidelines on requesting a memo change can be found at https://adminguide.stanford.edu/change-request-guidelines


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