

Grievance Operational Guidelines & Form

Step 1: Informal Meeting with Immediate Supervisor

- An employee will first attempt to resolve a grievance informally with his or her immediate supervisor through an informal meeting and discussion.
- The informal grievance must be made within 20 days of the date the employee knew or reasonably should have known of the event giving rise to the grievance.
- The immediate supervisor will meet with the employee and respond to the grievance within 10 days of its initiation, unless the supervisor determines that more time is needed due to special circumstances.

Step 2: Formal Written Grievance to Director of Human Resources

- If the grievance is not resolved informally at Step 1, the grievant may file a written grievance to the Director of Human Resources and immediate supervisor within 10 days of the decision in Step 1 or, if no response was given, within 10 days of the deadline for the response.
- The written grievance must contain:
 - A statement of the pertinent facts surrounding the grievance including witnesses if applicable;
 - All pertinent dates including the date the event occurred;
 - The steps taken to informally resolve the grievance;
 - The individuals involved in the attempt at resolving the grievance and the results of such discussion;
 - The specific remedy requested; and,
 - Procedures or policies violated or a description of the workplace safety rule allegedly violated, if applicable.
- The Director of Human Resources or designee will respond with a decision within 15 days after the written grievance is filed, including rationale for the decision.

Step 3: Appeal to the Vice President of Human Resources

- If the grievant does not agree with the result of Step 2 or in the event the Vice President of Human Resources or designee does not respond in a timely manner, the grievant may appeal the decision to the next level of supervisory authority.
- To appeal, the grievant, within 10 days of the reply at Step 1, or if no reply is received, within 25 days after the informal meeting, must provide to the Vice President of Human Resources a clear and concise statement of the grievance in writing to include:
 - All information provided in previous steps;
 - Any additional information; and,
 - Rationale regarding why the grievant disagrees with the previous decisions.
- The Vice President of Human Resources will respond with a decision within 15 days after the written grievance is filed, including rationale for the decision.

Step 4: Appeal to Impartial Hearing Officer

- If the grievant does not agree with the result of Step 3 or in the event the Vice President does not respond in a timely manner, the grievant may appeal the decision to an Impartial Hearing Officer (IHO). The IHO has the authority to determine whether the grievance is covered by the procedure, which may be subject to review by the college president.
- To appeal, the grievant, within 10 days of the issuance of the decision at Step 3, or if no reply is received, within 25 days after the submission at Step 3, must provide to the Vice President of Human Resources or designee a clear and concise statement of the grievance in writing to include:

- All information provided in previous steps;
- Any additional information; and,
- Rationale regarding why the grievant disagrees with the previous decisions.
- The College Assembly or designee will create a pool of qualified IHO candidates and determine the process for selection of an IHO. The IHO must not be an employee of the district and must not have an interest in the outcome. The IHO may be an employee of another district, a retired administrator, a lawyer, a professional mediator/arbitrator, or other qualified individual.
- The following applies to the hearing before an IHO:
 - Neither the grievant nor the college can discuss the case with the IHO in advance of the formal hearing;
 - The hearing date will be scheduled as soon as possible following the selection of the IHO with the hearing conducted within 45 days of the appeal request. The parties may mutually agree to extend the timelines;
 - The IHO cannot have an interest in the case. The IHO determines whether they have a conflict or interest in the case and reports so to the Vice President of Human Resources or designee and to the employee;
 - If there are costs incurred for the IHO, the college pays the costs;
 - The hearing is documented by a court reporter and paid for by the college. Either party may request a transcription of the hearing and bear those costs. In the event the hearing examiner requests a brief on any matter raised in the hearing, including, but not limited to, a closing brief, a copy of the hearing transcript will be provided to both parties by the college; and,
 - At least one week prior to the hearing, the college and the grievant will meet to determine joint exhibits and stipulations to be introduced at the outset of the hearing. With the consent of both parties, joint exhibits may be provided to the IHO in advance of the hearing.

Hearing Process:

- The hearing is be presided over by the IHO. The grievant and the college are allowed to present necessary information at the hearing. The grievant goes first for both the initial statement and presentation of witnesses in grievances concerning workplace safety. In other cases, the college goes first. The IHO has discretion to allow additional witnesses with time given to both parties equally.
- The IHO only considers information provided at the hearing. The IHO may uphold the decision in Step 3 or may over-rule it if it is determined that the college acted in violation of a specific provision of an applicable employee policy or District Board policy or administrative regulation, which affects the employee, occurred and, in such cases, the IHO may recommend appropriate action. The IHO will issue a timely written decision, making every effort to make a decision within 15 days after the close of the hearing.
- The decision includes:
 - A summary of facts and evidence;
 - A summary of relevant policies;
 - Analysis of above; and,
 - Decision.

Step 5: Appeal to the President or Designee

- If the grievant does not agree with the result of the IHO's decision in Step 4 or in the event the IHO does not respond in a timely manner, the grievant may appeal.

- To appeal, the grievant, within 10 days of the issuance of the decision at Step 4 or within 10 days of the deadline for the response, must provide to the college president a clear and concise statement of the grievance in writing to include:
 - All information provided in Step 4;
 - Any additional information; and,
 - Rationale of why the grievant disagrees with the Step 4 decision.
- The college president or designee first determines if the applicable issue qualifies for resolution under this procedure (i.e., discipline, termination, or workplace safety). If the issue qualifies, the Step 5 process proceeds.
- The college president or designee meets with all appropriate parties to discuss the grievance. The college president or designee also has the right to decide the matter without a meeting.
- After the meeting, the college president may affirm, reverse, or modify the IHO's decision in its sole discretion.
- The college President or designee will respond with a decision within 15 days of the meeting, including rationale for the decision. If no meeting is held, the college president or designee will respond with a decision within 25 days after the submission at Step 5.

Step 6: Final Appeal to the Board of Trustees

- If the grievance is not resolved satisfactorily at Step 5, the non-prevailing party may appeal the decision of the president or designee to the Board of Trustees.
- The appeal must be filed within 10 days of the president or designee's decision.
- The Board of Trustees will meet in a timely manner to hear the appeal.
- After the meeting, the Board of Trustees may affirm, reverse, or modify the president or designee's decision in its sole discretion.
- The Board of Trustees' decision is final and binding and may not be appealed.



Madison Area Technical College Grievance Form

The College has established the following form for an employee to use for matters concerning discipline, termination or workplace safety.

Return completed form to Madison Area Technical College, Human Resources, 1701 Wright Street, Madison, WI 53704

Date:	
Grievant (Name):	Position Title:
Grievant Status:	<input type="checkbox"/> FT Faculty <input type="checkbox"/> PT Faculty <input type="checkbox"/> PSRP <input type="checkbox"/> Other:
School/Center/Division:	
Office Location/Room #:	Office Phone:
I wish to file a grievance against:	
Date(s) of alleged incident:	
Have you spoken to anyone in management about the grievance? If yes, who and what was their response? If no, please explain.	
Reason for grievance:	
<input type="checkbox"/> Discipline Safety <input type="checkbox"/> Termination <input type="checkbox"/> Workplace Safety	
Provide a clear and concise statement of the pertinent facts related to the grievance. Describe each incident separately. For each action provide the following information: 1) Date(s) the action occurred; 2) What happened; and, 3) Why you believe the action was wrong. Please be sure to include the names of all persons involved and possible witnesses. Describe their involvement or what you believe they may know (attach additional pages as necessary).	
Steps taken to informally resolve the grievance:	

Please list the names, emails, and phone numbers of persons involved or any witnesses:

(1) Name:	Phone #:
Email Address:	
(2) Name:	Phone #:
Email Address:	
(3) Name:	Phone #:
Email Address:	
(4) Name:	Phone #:
Email Address:	

What would you like the Madison College to do as a result of your grievance – what remedy are you seeking and why?

Do you have any additional facts or information that would be helpful in reviewing your grievance?

**I certify that this information is correct to the best of my knowledge.
(please print and sign)**

Signature

Date

Print Name