

*Process & Timeline*

GRIEVANCE AT-A-GLANCE

WHAT IS A GRIEVANCE?

A grievance is a dispute between AAUP (the Union) and PSU (the Employer) regarding an employment contract, rule or practice. A grievance exists when the Collective Bargaining Agreement (CBA), a contract agreement clause, or a past practice has been violated, misinterpreted or applied unfairly.

WHO DETERMINES WHETHER I HAVE A GRIEVANCE?

It is the Union Representative and the Member who determine that a grievance exists, not the administration. The employer may dispute the grievance-ability of a problem but may not refuse to hear it, respond to it and/or process it through the grievance procedure.

THERE ARE TWO TYPES OF GRIEVANCES

INFORMAL

AAUP Grievance Officer assisting the Member in resolving a dispute between the employee and the supervisor through informal methods, such as discussion and/or mediation. This option is best suited when the dispute is the result of a misunderstanding or miscommunication, but can also precede a Formal process.

- Identify concerns in context of CBA,
- Set appointment with an administrator for discussion/mediation/or write a letter,
- If informal concerns are not addressed in a timely fashion, initiate steps in Formal process.

FORMAL

AAUP Grievance Officer following the formal filing protocol set forth in the CBA, which includes notifying the relevant administrator about the violation, establishing guidelines toward a desired remedy, and locking the process into the specific grievance timelines established in the CBA.

- Identify concerns in context of CBA,
- AAUP submits a written grievance to an administrator (the Employer), who has 5 days to respond (Level 1),
- If not resolved, grievance advances to Provost's Office, which has 10 days to respond (Level 2),
- If not resolved at Level 2, grievance advances to Arbitration (Level 3).

WHAT KIND OF REMEDIES ARE AVAILABLE?

Informal and Formal grievances can help clarify misunderstandings, and/or make changes to become compliant with the CBA, to fulfill contract agreements, to be consistent with past practice, or to make member whole.

SHOULD I HIRE AN ATTORNEY?

Members may consult with an attorney, but cannot engage an attorney to assist with the grievance process. AAUP is their exclusive representative, and all decisions about the case are made by AAUP in consultation with the Member.

WHO SHOULD I CONTACT WITH QUESTIONS?

Your AAUP Unit Representative: Unit Rep List, PSU-AAUP Executive Director Phil Lesch (phil@psuaaup.net), PSU-AAUP Vice President of Grievances and Academic Freedom Amanda Byron (amanda@psuaaup.net).

Visit www.psuaaup.net.

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