

APPENDIX M

PROCEDURES GOVERNING THE FILING AND PROCESSING OF
GRIEVANCES FOR ADMINISTRATIVE STAFF PERSONNEL

PROCEDURES GOVERNING THE FILING AND PROCESSING OF GRIEVANCES
FOR ADMINISTRATIVE STAFF PERSONNEL
IN THE MARYLAND STATE UNIVERSITIES AND COLLEGES
UNDER THE JURISDICTION OF THE BOARD OF TRUSTEES
OF THE STATE UNIVERSITIES AND COLLEGES

A. General.

1. The State of Maryland recognizes that legitimate problems, differences or opinion, complaints, and grievances may exist in the daily relationship between the State as an employer and its employees. It is the responsibility of all supervisors, administrators, program directors, appointing authorities, and employees to establish and maintain a work climate within which an employee problem or complaint may be promptly identified, presented, discussed and given fair, timely consideration and resolution.
2. In accordance with the above principles, therefore, these Procedures Governing the Filing and Processing of Grievances for Administrative Staff Personnel (as defined elsewhere in these Procedures) in the Maryland State Universities and Colleges Under the Jurisdiction of the Board of Trustees of the State Universities and Colleges have been instituted in accordance with the intent of the State of Maryland Executive Order issued by Governor Marvin Mandel on July 3, 1974.
3. These Procedures Governing the Filing and Processing of Grievances may be amended from time to time by the Board, except that an employee's filing and processing of a grievance shall be determined in all cases by the procedures in force at the time of the initial filing of the grievance. Wherever the male gender is used in the procedures, it shall be deemed to include the female gender.

B. Definitions.

1. The following definitions shall apply for the purpose and processing of grievances in accordance with these Procedures:
 - a. Administrative Staff Personnel – Permanent full-time personnel not in the classified State Merit System who occupy budgeted positions which involve duties relating to the execution of management, academic, administrative, or operational policies of the institution at which they are employed, except for those personnel categories excluded (as defined elsewhere in these Procedures).

b. Grievance – Any matter over which management has control pertaining to discipline, promotion, suspension, duties, termination, conditions of employment, and interpretation or application of university/college rules and procedures which may arise between an administrative staff employee and his supervisor concerning the affected employee may be the source of a grievance complaint.

c. Work Day – A work day is defined as any day within the period encompassing Monday through Friday regardless of work schedule, weekend work, holiday, or work day off.

C. Personnel Categories Excluded From These Procedures.

The following categories of personnel in the employ of the Board or of the State universities and colleges under the governance of the Board are excluded from these procedures governing the filing and processing of grievances:

Category I: Executive Director and Associate Executive Director, Board of Trustees University/College Presidents Director, Maryland State Colleges Information Center (MSCIC)
All employees not in the classified State Merit System on the Staff of the Board

Category II: Permanent full-time administrative staff personnel not in the classified State Merit System occupying allocated budgeted positions either at the highest level of management responsibility or at a level requiring supervision of major programs at an institution. Included in this category are personnel performing duties and responsibilities normally associated with the following titles irrespective of whether or not the incumbent occupying the position has been designated by a budgeted title or an institutional title at variance with this listing.

Vice President
Dean of the College
Associate Dean of the College
Dean of Students
Associate Dean of Students
Director of Admissions

Director of Career Planning and Placement
Director of College Center
Director of Counseling
Director of Evening and/or Summer School
Director of Financial Aids

Director of Business and
Finance
Director of Institutional
Development/Research
Director of Instructional
Services
Director of Library

Director/Dean of Graduate
School
Director of Public Relations
Integration Coordinator
Registrar
Assistant to President

Director of Center for Educational Technology (Bowie State)
Director of Cooperative Relations – UMES (Salisbury State)
Dean of the School of Business (University of Baltimore)
Dean of the School of Law (University of Baltimore)
Deans of the Schools of Nursing

Category III: Full-time and part-time faculty members irrespective of
Whether or not they may be assigned administrative duties
(i.e., Director of a Program, Division/Department Head) in
conjunction with their “faculty” position.

Category IV: Full-time and part-time professional librarians.

Category V: Classified employees in the State Merit System.

Category VI: Student employees, graduate assistants, laboratory assistants,
etc. and any other part-time employees occupying positions
who are not in the classified State Merit System.

Category VII: Full or part-time “emergency” or “temporary” employees
(i.e., a person in an extra position that has not been
allocated).

D. Filing and Processing Grievances.

1. General.

Failure by the institution to respond to a grievance at a particular step
within the time limit specified for response at that step shall not affect the
institution’s right to act with respect to the grievance.

2. Step One.

The aggrieved employee at this step may present his grievance either
orally or in writing to his immediate supervisor for the purpose of informal

discussion. It shall be the responsibility of the supervisor to investigate the grievance and attempt to resolve the matter satisfactorily at that time. The immediate supervisor, within three work days after receipt of the grievance, shall hold a conference with the aggrieved employee and, within three work days after the conclusion of the conference, shall render his decision either orally in writing to the aggrieved employee. In the event the aggrieved employee is not satisfied with the decision rendered at this step, he may appeal in writing to Step Two within three work days.

3. Step Two.

The aggrieved employee at this step may present his grievance in writing to the intermediate supervisor who, within five work days after receipt of the written grievance, shall hold a conference with the aggrieved employee and, within three work days after the conclusion of the conference, shall render his decision in writing to the aggrieved employee. In the event the aggrieved employee is not satisfied with the decision rendered at this step, he may appeal in writing to Step Three within three work days. In the event the president of the university/college also happens to be the intermediate supervisor, Step Two does not apply and the aggrieved employee shall proceed to Step Three.

4. Step Three.

The aggrieved employee at this step may present his grievance in writing to the president of the university/college who may either:

- a. Personally consider the grievance in which case, within ten work days after receipt of the written grievance, he shall report his findings in writing to the aggrieved employee and to the employee's immediate supervisor outlining the measures, if any, to be initiated to remedy the grievance, such findings shall be final and binding upon all parties; or
- b. Determine the grievance to be one which more properly should be considered by a hearing committee. In such instances, within five work days after receipt of written grievance, he shall appoint a hearing committee consisting of three individuals (no two of whom shall have a broad functional areas of responsibility encompassing the sphere of activity engaged in by the aggrieved employee). The hearing committee, within ten work days after its appointment, shall hold a conference with the aggrieved employee and, within five work days after conclusion of the conference, shall render its

advisory opinion (which must be concurred in by no less than two members) in writing to the president of the university/college who, within three work days after receipt of the advisory opinion, shall report his findings in writing to the aggrieved employee and to the employee's immediate supervisory outlining the measures, if any, to be initiated to remedy the grievance, such findings shall be final and binding upon all parties.

Adopted:
September 2, 1976