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3 **POLICY STATEMENT 36**
4 **GRIEVANCE PROCEDURES FOR PROFESSIONAL, OTHER ACADEMIC, AND**
5 **CLASSIFIED EMPLOYEES**

6 **POLICY DIGEST**

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8 **Primary Monitoring Unit: Human Resources**

9 **Initially Issued: December 10, 1990**

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13 **I. DEFINITIONS**

14 **Classified Employees** – those employees covered by the provisions of the State Civil Service.
15 Also referred to as “Civil Service” employees.

16 **Other Academic** - refers to part-time members of the academic staff and full-time members of
17 the instructional staff below the rank of instructor, or equivalent. It includes employees with
18 academic responsibilities who do not hold faculty rank.

19 **Professional Employees** - refers to administrative officers and professional staff as well as all
20 employees exempt from the classified service. Employees in this category are sometimes
21 referred to as "unclassified."

22 **II. POLICY**

23 A professional, other academic or classified employee who is seeking a solution concerning
24 issues arising from working conditions, employment practices, and interpretation of policy and/or
25 procedure may file a grievance pursuant to this policy statement. [LSU Eunice PS-36](#) does not
26 apply to faculty. Employees who feel they are being discriminated against because of race,
27 color, sex, ethnic origin, religion, age, creed, marital status, veteran’s status, disability or sexual
28 orientation also have a right to file a complaint in accordance with Policy Statement on Equal
29 Opportunity ([LSU Eunice PS-11](#)) or Sexual Harassment ([LSU Eunice PS-30](#)). Any University
30 official receiving a grievance alleging discrimination shall refer the matter to the Office of Human
31 Resource Management (HRM). Should an employee file a grievance alleging discrimination
32 pursuant to this Policy Statement and a complaint with HRM, or if the PS-36 complaint is
33 received by HRM, the matters will be consolidated for review by HRM. Such complaints will
34 initially be reviewed at this policy statement’s Step 2 Level and in accordance with PS-11.

35 While the University recognizes the employee’s right to file a grievance, the employee is
36 strongly encouraged to discuss their concerns with the immediate supervisor and/or division
37 head before filing a grievance. Many issues can be resolved informally at the supervisory level
38 without the need for a formal grievance.

39 **III. ISSUES WHICH ARE NOT GRIEVABLE**

40 The following actions are not grievable under this policy:

- 41 A. Termination, non-renewal of contract or appointment, or layoff.
- 42 B. Actions within the exclusive jurisdiction of the state Civil Service Commission such as
43 actions which impact pay, or pay issues, suspension with or without pay, reduction in
44 pay, denial of merit increase, demotion, or position classification.
- 45 C. Disciplinary action taken in accordance with the University's Positive Discipline System.
46 Classified employees should follow the provisions outlined in the University's Disciplinary
47 Procedures for Professional, Other Academic, and Classified Employees ([LSU Eunice](#)
48 [PS-89](#)).
- 49 D. Performance evaluations (professional and other academic may submit a rebuttal to
50 HRM if they disagree with their rating in accordance with the Policy Statement on the
51 Performance Evaluation of Professional and Administrative Personnel ([LSU Eunice PS-](#)
52 [09](#)). Classified employees may appeal their performance rating in accordance with the
53 procedures outlined in the Policy Statement on the Performance Evaluation System for
54 Classified Employees ([LSU Eunice PS-79](#)).
- 55 E. Non-selection for a position.

56 **IV. GRIEVANCE PROCEDURES**

57 **Step 1:** The employee must present the written grievance to their division head within five (5)
58 working days of the date of the alleged grievable act. Any complaint alleging discrimination
59 shall be referred to HRM for review in accordance with [LSU Eunice PS-11](#). The department
60 head may meet with the employee and shall respond in five (5) working days after receipt of the
61 grievance.

62 **Step 2:** If the employee is not satisfied with the decision at Step 1 of the grievance procedure,
63 the employee may appeal in writing to HRM within five (5) working days after the receipt of the
64 response from the department head. The second step appeal must state why the employee
65 disagrees with or rejects the Step 1 decision and the department head shall be provided a copy
66 of this appeal.

67 The HRM representative will contact the employee as soon as possible, but no later than seven
68 (7) working days, after receipt of the appeal, to schedule a hearing of the grievance.

69 The HRM representative will notify the grievant and the grievant's division head of their decision
70 within five (5) working days following the date of the hearing. A grievance alleging discrimination
71 will be reviewed pursuant to [LSU Eunice PS-11](#) and/or [LSU Eunice PS-30](#).

72 **Step 3:** If the employee is not satisfied with the decision at Step 2 of the grievance procedure,
73 the grievant may appeal in writing to the Office of the Chancellor within five (5) working days
74 after receipt of the HRM decision. The Step 3 appeal must include the reasons why the
75 employee disagrees with the Step 2 decision.

76 After reviewing the grievance file, the Chancellor or their designee shall, within ten (10) working

77 days after receipt of the appeal, decide the appeal. Notice of the decision will be given to the
78 employee, HRM, and the department head.

79 **V. TIME LIMITS**

80 Time limits set out in this policy should be followed. Failure to adhere to the time limits shall
81 result in the employee waiving all rights under the grievance procedure for the issue(s) raised in
82 the grievance. Failure of the Division Head or HRM to adhere to the time limits or provide notice
83 in writing of additional time needed to respond to the employee will authorize the grievant to
84 move to the next step of the grievance procedure. However, the time limits described in this
85 policy may be suspended, extended, or altered by the Chancellor or their designee.

86 **VI. EMPLOYEE ADVISOR**

87 Employees shall have the right to have an LSU advisor of their choice present at each step of
88 the grievance procedure. However, legal counsel will not be allowed to be present in any
89 required meetings or hearings. The advisor selected to represent the employee, shall, at such
90 times as approved by the advisor's supervisor, be granted the necessary time off without loss of
91 pay and without charge to annual or compensatory pay during work hours to represent that
92 grievant. However, the time needed by the grievant and/or their advisor to prepare for any step
93 of the grievance should be done on the employee's time off or while in work status with
94 supervisory approval.

95 **VII. UNION MEMBERS**

96 Employees covered by a union agreement are covered by any grievance procedure outlined in
97 the union agreement.

98 **VIII. RETALIATION**

99 No employee is to take reprisal action against an employee who uses the grievance procedure,
100 serves as an advisor, or participates in any way (e.g. witness) in the grievance process. Any
101 employee violating this prohibition against retaliation may be subject to disciplinary action, up to
102 and including, termination. Additionally, no LSU official may use their position to attempt to
103 improperly influence the grievance process.

104 **IX. SUMMARY DISPOSITION OF GRIEVANCE**

105 A grievance which does not present a grievable issue or which is subject to summary
106 disposition pursuant to Civil Service Guidelines, or which is untimely may be summarily
107 dismissed. A request for summary dismissal must be approved by the Chancellor or their
108 designee. All parties to the grievance will be notified in writing.

109 **X. PRE-GRIEVANCE COUNSELING**

110 An employee covered by this policy may contact the HRM Office at 337-550-1222 located in
111 Science Building Rooms 124 & 127 if assistance is needed. Coordination with HRM will ensure
112 that the employee is properly administering the grievance procedure.