



I. Policy Title

Employee Grievance Policy

II. Policy Purpose and Statement

The purpose of this policy is to provide a clear process through which Fort Valley State University staff and student employees may process grievances.

III. Policy Application and Effective Date

- a. This policy applies to staff and student employees who have been suspended, discharged, demoted or one who has had their salary reduced.
- b. This policy is effective September 29, 2025.

IV. Definitions

- a. Chief Human Resource Officer (CHRO)- Serves as the grievance coordinator and has the responsibility of managing the expeditious and fair resolution of grievance hearings. The main role of the CHRO is to assist the parties, the Grievance Panel Chair, and the Grievance Hearing Panel in administering procedures. He or she also serves as a non-voting ex-officio member of the University Grievance Committee.
- b. General Counsel- Ensures the grievance is handled lawfully, fairly, and in accordance with institutional policy. He or she is also a non-voting ex-officio member of the University Grievance Committee.
- c. Grievance Hearing Panel- members of the University Grievance Committee who hears evidence and makes the recommendation of the outcome of a grievance to the president.
- d. University Grievance Committee- A pool of university employees who have been selected and trained to hear evidence and make recommendations as to the outcome of a grievance filed pursuant to this policy.

V. Policy

Circumstances under Which Grievances May be Filed:

Staff and student employees may file a grievance only if:

- The employee has been suspended; or
- The employee has been discharged; or
- The employee has been demoted, or their salary has been reduced

In addition, these formal procedures will not be available to a student or employee who has chosen to seek relief through a department, school or unit's internal grievance procedure unless such procedure failed to provide a fair and impartial hearing and an adequate mechanism for appeal or review as determined by the Chief Human Resources Officer in consultation with the General Counsel.

An employee may not file a grievance in accordance with this policy, even in the above circumstances, if:

- The discharge occurred during the six (6)-month provisional/probationary period;
- They have been adversely affected by a reorganization, program modification or financial exigency (such employees may apply to the Board of Regents for review);
- The issue underlying the grievance is a charge of discrimination on the basis of race, sex, age, disability, religion or sexual discrimination. Such charges should be directed to the Office of Legal Affairs.
- The issues being grieved have been previously heard by an administrative panel at the institution.

Further, a grievance will not be available to dispute:

- promotion and tenure decisions,
- performance evaluations,
- hiring decisions,
- classification appeals
- challenges to grades or assessments
- challenges to salary decisions,
- challenges to transfers or reassignments,
- termination or layoff because of lack of work or elimination of position,
- investigations or decisions reached under the institution's Harassment Policy,
- normal supervisory counseling

VI. Process/Procedures

- a. An employee may file a request for a grievance hearing by submitting a written request for hearing to the Chief Human Resources Officer. Unless there is good cause for delay, a grievance must be filed within ten (10) working days of the notice of demotion/reduction in pay; suspension or discharge. If filed after that time, the grievance must be accompanied by a written explanation for the delay. The Chief Human Resources Officer will rule on whether the employee had good cause for filing the grievance late.
- b. To initiate a formal grievance hearing, the complainant is required to submit a written request to the Chief Human Resources Officer to ensure the Grievance Panel will address the specific issues brought forth by the complainant. The information listed below must be included to ensure that the complainant identifies all the issues and facts.

- i. The written request should include:
 - 1. The complainant's full name and job title;
 - 2. The department/unit in which the complainant is employed;
 - 3. The nature of the problem or complaint;
 - 4. The communication that has taken place between the complainant and his or her department head, supervisor, and/or second level supervisor concerning the matter;
 - 5. The supervisors and/or managers responsible, if applicable;
 - 6. The reason why the complainant disagrees with the suspension/discharge/demotion/salary reduction;
 - 7. The complainant's suggestion for proper resolution of the matter or remedy sought by the complainant;
 - 8. Identification of any witnesses who may have relevant information regarding the complaint;
 - 9. and Identification of any previous recommendations to resolve the issue
- c. The Chief Human Resources Officer shall, within five (5) working days of receipt of the grievance, determine and respond in writing to the complainant as to whether the grievance is eligible for review by a Grievance Panel; The Chief Human Resources Officer's decision shall be based on the eligible circumstances for a grievance as listed in Circumstances under Which Grievances May be Filed section as presented in the Complainant's written request.
- d. If the grievance is not accepted for review, the Chief Human Resources Officer will inform the complainant in writing; and
- e. The complainant may then request a review by the General Counsel within five (5) working days following the Chief Human Resources Officer's decision. The General Counsel will render a final decision within five (5) working days following receipt of the request for review. If the General Counsel upholds the original decision to not accept the grievance, the complainant and other involved participants will be notified and reasons given. If the General Counsel agrees to hear the grievance, the process continues in the same manner as if it had originally been accepted.
- f. If the grievance is accepted for review, the Chief Human Resources Officer will provide the parties with a copy of the formal grievance policy and other documents pertaining to grievance hearing procedures. The employee shall be entitled to the procedural protections of a hearing before a Grievance Panel. The Grievance Panel hearing may take place either before or after the effective date of the personnel decision in question.

Establishment of the University Grievance Committee

There will be a eight (8)-member staff grievance committee appointed by the president to hear staff grievances. The Chief Human Resources Officer and General Counsel shall be non-voting ex-officio members of the University Grievance Committee.

Nominations for University Grievance Committee membership will be solicited by the General Counsel from the officers of the Faculty and Staff Council and the Chief Human Resources Officer.

Faculty and Staff Council and the Chief Human Resources Officer shall nominate employees jointly. There shall be a minimum of eight (8) and a maximum of twelve (12) nominees.

The General Counsel is tasked with confirming each nominee's eligibility in accordance with this policy. The President of the University appoints committee members from the list of eligible nominees.

The members of the University Grievance Committee shall be selected at the beginning of the academic year. Members serve in a two-year appointment. Appointments may be renewed. However, members shall not serve more than 4 consecutive years. Newly selected members will meet within four weeks following their selection with the co-chair, the Chief Human Resources Officer and General Counsel for orientation and training. Upon completion of training, the General Counsel shall appoint a staff member to serve as Chair of the University Grievance Committee. The Vice Chair will be selected by members of the University Grievance Committee.

Eligibility of Service to the University Grievance Committee

All regular employees with at least three (3) years of continuous service at Fort Valley State University are eligible for selection to the University Grievance Committee. No employee's name shall be removed from the pool if an employee files a grievance, or an employee is named or otherwise directly involved in an ongoing grievance.

Procedures of the Grievance Hearing Panel

- a. Each Grievance Hearing Panel shall consist of the Grievance Panel Chair (either the Chair or the Vice Chair of the University Grievance Committee) and two (2) committee members.
- b. At least one non-voting ex-officio member (i.e., Chief Human Resources Officer or General Counsel) shall be chosen by the Grievance Panel Chair to be present during the hearing. If an outside attorney is involved in the hearing, both the Chief Human Resources Officer will be present as the institutional representative and the General Counsel will be present to oversee the integrity of the process.

Duties of the Grievance Panel Chair

The Grievance Panel Chair of each Grievance Panel shall not vote (except in the case of a tie) and shall be responsible for the conduct of the hearing and implementation of the grievance procedures. The chair's duties include the following:

- Assuring that all parties are familiar with the grievance procedures.
- Notifying the grievant and other parties in writing as needed regarding the status of the grievance.
- Assuring that the grievance has been submitted as outlined above. Following all communication responsibilities in a timely manner as outlined in the review or grievance process.

Excusing Grievance Hearing Panel Members

Grievance committee members who are drawn as possible grievance hearing panelists may be excused by the Grievance Panel Chair upon request, if any of the following occur:

- There is a bona fide conflict of interest between the hearing panel member and either of the parties of the grievance,
- the potential hearing panel member is ill, or
- service on the hearing panel should be excused for good cause shown such as, but not limited to, conferences, job responsibilities, family illness, etc.

The Grievance Panel Chair in consultation with the General Counsel will use proper discretion to determine whether the panel member meets the criteria for granting excuse. The Grievance Panel Chair should excuse a panel member when the Chair has knowledge of any conflict of interest between the hearing panel member and party even if the hearing panel member does not request to be excused.

Notice to Parties and Grievance Panel Members

After the grievance hearing panel has been selected, the Chief Human Resources Officer shall send written notice of the time and date set for the hearing to the parties and to the grievance hearing panel. The notice shall be hand delivered, emailed, and/or mailed, typically no less than ten (10) working days before the scheduled date of the hearing.

The Chief Human Resources Officer or General Counsel, in concert with the grievance panel chair, will coordinate meeting participation with the selected hearing panel members and parties prior to the delivery of the written meeting notice.

Removal of Grievance Hearing Panel Members for Cause

A party may present a request, in writing, at least five (5) working days in advance of any hearing, to the Chief Human Resources Officer to remove any member of the

Grievance Panel for reasonable cause, including, but not limited to, conflicts of interest or apparent conflicts of interest. A party can make no more than two (2) challenges to panel members.

If the challenge request is granted, the Grievance Panel Chair shall fill the vacancy from the remaining members of the University Grievance Committee. In addition, the grievance panel chair may, on his or her own motion, remove any member for reasonable cause and replace the member with an alternate member. If a party requests the Grievance Panel Chair is removed, the Chief Human Resources Officer will review this request and, if granted, appoint a new Grievance Panel Chair from the members of the University Grievance Committee. Members of the Grievance Hearing Panel may recuse themselves if they determine that for any reason, they will be unable to render impartial service on a Grievance Hearing Panel.

Grievance Hearing Procedures

The following procedural rules should be observed by the Grievance Committee in hearing complaints. These hearing procedures shall be adhered to for all procedural protections as afforded by all applicable Board of Regents of the University System of Georgia and Fort Valley State University policies.

- The grievance hearing shall be conducted in a confidential setting, and confidentiality of the hearing shall be preserved by the grievance hearing panel members, as applicable pursuant to Georgia open meetings and open records laws.
- The employee-grievant has the right to select one (1) person to attend as an observer or advisor. The advisor may be an attorney and participate in the hearing in an advisory capacity to his or her client only. The advisor may address the grievance hearing chair but may not address the other parties or grievance hearing panel members. The Chief Human Resources Officer or General Counsel may assist the grievance hearing chair as needed. The General Counsel must attend if either party designates an attorney to serve as their party advisor.
- The hearing shall be recorded or alternatively a written transcript created. The Office of Human Resources shall supply the tapes and recorders for the hearing. The tape recordings of the proceedings shall be kept within a secured area in the human resources office and a copy will be available to the parties concerned, at a reasonable cost.
- An oath or affirmation shall be administered to all witnesses by any person authorized by the State of Georgia to administer oaths.
- The parties shall have the right to question all witnesses and the opposing party who appear at the hearing. Said questions must be submitted to the Chief Human Resources Officer within (2) two working days before the scheduled hearing. Should a witness be unable to appear because of illness or other cause acceptable to the grievance panel chair, a sworn statement or affidavit of the witness may be introduced into the record. The panel will not be bound by strict rules of legal evidence. It may receive any evidence deemed by the grievance hearing chair to

be of value.

- The hearing shall be investigative in nature and shall not be viewed as or conducted under the rules of evidence or procedures applicable to evidentiary or adversarial hearings. The hearing panel may receive any evidence deemed by the Chair to be of potential value in determining the issues involved. The Chair, in consult with the General Counsel as necessary, shall decide all questions of the admissibility of evidence or other procedural matters.
- The hearing should only last one session (day). It shall be at the discretion of the grievance hearing chair to reconvene the hearing if another session is needed.
- All persons involved should avoid public statements and publicity about the hearing process.

Results of the Hearing

The panel should complete its report within ten (10) calendar days after the grievance is heard. The Chair should send copies of the report to the Chief Human Resources Officer. The Chief Human Resources Officer will forward a copy of the report to the President, the parties, and the General Counsel. The panel may discuss the appropriateness of potential recommendations with the General Counsel, which shall be advisory only, and shall in no way commit the panel to any suggested course of action.

Grievance Panel Recommendations to the President

Any findings of fact and recommendations made by the hearing panel shall be provided to all parties and to the President and are advisory only. The President will then make a final determination regarding the grievance filed. In making his or her decision, the President will not be bound by the findings of the Grievance Hearing Panel. The President should, within ten (10) calendar days after receipt of such written notification of the recommendations of the Grievance Committee, advise the Complainant, Chief Human Resources Officer and General Counsel, and the other applicable parties concerned in writing of his or her decision, or the President may refer the matter back to the Chair for further response and recommendations(s) before rendering the final decision of the university.

The Complainant should also be advised by the President in writing of the complainant's right to apply to the Board of Regents Office of Legal Affairs for a discretionary review of the President's decision.

Time Limits

The time limits as described in this formal grievance procedure (except for time limits imposed by Board of Regents Bylaws or Policies) may be waived or extended with the consent of both parties and/or the President or his/her designee, due to extenuating circumstances or to permit mediation or any other informal process.

Prohibition of Retaliatory Action

No participant shall be harassed, intimidated, or otherwise penalized for involvement in the grievance procedures.

VII. Forms

N/A

VIII. Appendices

N/A

IX. Related Resources

[USG Board of Regents policy 6.26 Application for Discretionary Review](#)
[Human Resources Administration Manual- Employment: Dismissal Demotions, or Suspensions](#)

X. Policy History and Revisions

Date	Notes
2022	
September 29, 2025	Added definitions section, additional related resources, and updated position titles. Revised policy to allow for the questioning of witnesses and the opposing party through the chair of the Hearing Panel.

XI. Responsible Party

Party	Office, Phone, and Email
Chief Human Resources Officer	Office of Human Resources hrfvsu@fvsu.edu Phone: (478) 825-6301