

Oklahoma State University Policy and Procedures

STAFF DISMISSAL GRIEVANCE POLICY	3-0746 ADMINISTRATION & FINANCE June 2026
---	--

INTRODUCTION AND GENERAL STATEMENT

1.01 Oklahoma State University (OSU) desires the fair resolution of disputes in the workplace. Whenever possible, the dispute or problem should be resolved through discussions between the supervisor and the staff member. However, it is recognized this may not be possible in all cases.

1.02 The grievance procedure at OSU is a formal method for presenting and addressing such cases with defined steps, timelines, and rules.

PURPOSE AND SCOPE

2.01 This policy is applicable to all staff assigned to agencies of the OSU System located on or operated by the following campus locations: Stillwater, Oklahoma City, Tulsa and Institute of Technology.

2.02 Persons holding a "joint appointment" (faculty and staff combinations) shall use the grievance procedure most relevant to the nature of the complaint, e.g., if the grievance is relevant to the work assignment as a member of the staff, then the staff grievance procedure shall be used.

2.03 Any references to Associate Vice President for University Human Resources, herein after referred to as Associate Vice President, will also include their designee and any references to Director of the Office of Equal Opportunity will hereafter be referred to as Director and include their designee to expedite processing.

2.04 Questions regarding this policy or procedures underpinning the process should be addressed to University Human Resources.

UNIVERSITY POLICIES AND/OR PROCEDURES

3.01 All staff who have a bona fide grievance as defined herein which cannot be resolved informally may request the formation of a Grievance Committee, herein after referred to as Committee. This Committee shall conduct an examination of the issues and make recommendation(s) for review by the appropriate Vice President or other senior administrator reporting directly to the President.

3.02 University Human Resources will provide policy information to any staff member who wishes to file a grievance.

3.03 Definition of Terms

- A. Grievance: A grievance is a timely and written complaint filed by a staff member, with regard to a good faith assertion of substantial administrative error resulting in dismissal. Excluded from the grievance definition are complaints regarding dismissal within the initial probationary period except in cases where discriminatory action is alleged.
- B. Discrimination: A grievant must state whether they believe illegal discrimination due to age, race, color, religion, sex, sexual orientation, genetic information, gender identity or expression, national origin, disability, veteran's status, or other protected category as indicated in OSU policy and/or federal and state law is involved.

3.04 For a grievance relating to a form of alleged illegal discrimination listed in Section 3.03, the person entering the grievance shall advise the Director. A representative from the Office of Equal Opportunity may serve as an advisor to either or both parties involved. However, this representative shall serve in an advisory or informal capacity only and shall not be requested to make an administrative decision.

3.05 Participation in the grievance filing process and the hearing process is a protected activity under OSU policy and is covered by the Board of Regents Non-retaliation policy. Knowingly making false statements to or otherwise misleading university representatives or outside parties or failing to cooperate during the grievance process could be subject to closure of the grievance filing or correction action up to and including dismissal.

PROCEDURE FOR PROCESSING GRIEVANCES

4.01 Grievances are processed as follows:

- A. In the event of dismissal, the complainant may submit a formal written grievance request to the Associate Vice President. The written request must be made within fourteen (14) calendar days following dismissal.
- B. A grievance shall receive prompt attention at all levels of consideration. The hearing(s) and the written report of the Committee shall normally be completed within sixty (60) working days after the formation of the Committee, and the final decision for disposition of the matter shall be made by the appropriate Vice President or other senior administrator within thirty (30) working days thereafter.

4.02 A written request for a grievance will not be processed by the Associate Vice President unless it contains all the following information:

- A. A clear and detailed statement of the grievance along with a statement describing the specific supporting evidence;
- B. The specific remedial action or relief sought with the reasons why such action is warranted; and
- C. A statement indicating illegal discrimination is, or is not, alleged.

GRIEVANCE COMMITTEE

5.01 Within fifteen (15) working days after receipt of the grievance request, the Associate Vice President will contact the grievant and request clarification on items within the grievance request including the remedial action sought. The Associate Vice President will work with the grievant and respondent to negotiate a resolution to the grievance. If successful, this negotiation process will effectively resolve the grievance request.

5.02 At the conclusion of negotiations, the Associate Vice President shall call for the selection of the Committee by random choice from computerized listings of staff assigned to that campus location. Both parties to the grievance shall be notified of the time and place for the selection, and each shall have the right to be present.

5.03 Five (5) committee members shall be chosen, as well as alternates who will be on standby. Committee makeup must include two (2) supervisors and must also include at least one (1) racial/ethnic minority, one (1) male, and one (1) female.

5.04 The grievant and the respondent shall each be allowed to challenge one (1) selection for the Committee without showing cause (peremptory challenge). Both parties have the right to challenge all other random selections by showing cause. The Associate Vice President shall rule on the validity of all permissible challenges for cause, such as bias, prejudice, member of same unit as a party, etc., after both the grievant and respondent have been given an opportunity to comment on the request. The Associate Vice President may remove from consideration individuals who are known to be unavailable due to scheduled leave (FMLA, etc.) or operational assignment.

5.05 All persons selected for membership on the Committee shall be required to serve except in cases of illness, necessary absence from the campus, prior service on a Committee in the current or immediately preceding calendar year, or other extreme hardship. The Associate Vice President shall decide whether a chosen person should be excused from service and may replace such a member.

5.06 If a Committee member is replaced during the hearing, the alternate shall review the record of the proceedings to become familiar with the positions of the parties and with their evidence as previously submitted to the Committee.

5.07 The members of the Committee shall select a Chair from their group prior to the hearing. The Associate Vice President shall serve as a non-voting advisor to the Committee, except when the Associate Vice President is a party to the grievance. In such an event, an alternate representative from University Human Resources or other campus location shall serve as the advisor. In cases in which illegal discrimination is alleged, a representative from the Office of Equal Opportunity shall serve as co-advisor to the Chair and Committee.

GRIEVANCE HEARING

6.01 The Associate Vice President shall exercise reasonable discretion in attempting to schedule a hearing at the earliest convenient time and date at which all affected parties can be in attendance. The Associate Vice President shall be responsible for obtaining a location and shall notify all appropriate parties of the time, date, and place of all grievance hearings.

6.02 The Associate Vice President shall advise the Committee as to the nature of the grievance and the procedures for review to promote fairness and equity for all persons involved. The Associate Vice President shall remain neutral in the matter at all times and may serve as a resource person on procedural questions upon request of the grievant, the respondent, or both.

6.03 Attendance at the hearings shall be limited to persons who have an official connection with the case as determined by the Chair. The grievant and the respondent may choose to be accompanied by either an advisor, colleague, friend, or legal counsel. Others whose participation in the hearing are considered essential in establishing the facts in the case shall appear before the Committee only long enough to give statements and to answer questions from the grievant, respondent, or Committee members.

6.04 The Chair shall set forth the rules of procedure for the hearing in accordance with the guidelines below.

6.05 The grievant shall be heard first in all phases of the grievance and shall be primarily responsible for the presentation of the evidence supporting the grievance.

6.06 A representative may advise the grievant or respondent but shall not be permitted to participate directly in the proceedings, testify, or question witnesses except as noted in Section 6.12 below.

6.07 A standard agenda indicating length of the hearing will be established and provided to all parties in advance of the hearing. Both parties may make opening statements to acquaint the Committee with the issues to be presented and to provide an overview of the evidence to be presented. Both parties may also make closing statements addressing the evidence actually presented to the Committee, together with logical arguments supporting the party's position. Every effort shall be made to conduct the hearing as expeditiously as possible with fairness to both parties and attending witnesses.

6.08 The parties shall develop their positions through witnesses and documents. Witnesses may be cross-examined, and limited redirect examination concerning matters raised during cross-examination is permitted. Rebuttal evidence is also permitted.

6.09 In preparation for the hearing, the grievant and respondent shall provide the Associate Vice President with the names of potential witnesses and electronic copies of all exhibits at least seventy-two (72) hours in advance of the grievance hearing. The Associate Vice President will provide copies of the witness list and exhibits to the opposing party at least forty-eight (48) hours prior to the hearing.

- A. Potential witnesses will be notified of the hearing session by the grievant or by the respondent, and the witnesses shall be scheduled as close to the time of call as possible to avoid undue waiting. The grievant and respondent are responsible for contacting and arranging for the attendance of their own witnesses in all cases.
- B. The grievant and respondent shall provide hard copies of all documents to the Associate Vice President to be distributed at the hearing at least forty-eight (48) hours in advance of the hearing. This will include a copy for each member of the Committee, a copy for the other party, a copy to be made available to witnesses, and a copy for the official file.

6.10 All testimony pertaining to the grievance hearing shall be held in confidence by all parties and should not be discussed with others unless there is a compelling official need.

6.11 Only evidence relevant to the grievance may be introduced. All questions of relevance shall be decided by the Chair.

6.12 The university recognizes the seriousness of dismissals from employment and intends, if legal counsel is retained by the grievant, the utilization of counsel to include opportunity for counsel to participate directly in all appropriate portions of the hearing, including the presentation of the grievant's case to the Committee. The respondent may also be represented by legal counsel with the same opportunities for participation.

6.13 In order to have a record of the proceedings, a confidential recording of the grievance hearing(s) shall be made available and accessible to the parties involved, to members of the Committee, to the appropriate Vice President, to the President, and to all authorized representatives on a need-to-know basis.

- A. At the conclusion of all hearing sessions, and after the final report of the Committee is submitted, the confidential recordings and all other relevant material will be sealed and preserved by University Human Resources. These materials shall be destroyed after five (5) years unless one or both parties submit a written reasonable request to the Associate Vice President to preserve them for a longer period.

6.14 At any point in the grievance proceedings prior to the time at which the Committee has issued its final report in the case, the grievant may withdraw the grievance in whole or in part. In all cases of withdrawal, the grievant shall not have the privilege of reopening the same grievance at any time in the future.

GRIEVANCE COMMITTEE REPORT

7.01 At the conclusion of the final hearing session, the Committee shall establish a date, time, and place to go into closed session for the purpose of deliberating the evidence, committee findings, and recommendations in the case. Attendance at the closed sessions shall be limited to Committee members unless the Committee requests policy assistance to be facilitated by the Associate Vice President and/or Director of Equal Opportunity, as appropriate.

7.02 The Committee shall issue a written report, as agreed upon and approved by a majority of the Committee, in which it will state its findings and recommendations for resolving the case.

7.03 The report of the Committee shall include a brief summary of the hearing and recommendation(s) for disposition of the grievance including:

- A. A statement of the purpose of the hearing.
- B. The issues considered.
- C. The findings of fact.
- D. Recommendation(s) for disposition of the grievance.

7.04 The Committee shall submit its preliminary report to the Associate Vice President who will review the preliminary report for policy compliance. When the form of the report complies with this policy, the report will be forwarded to the appropriate Vice President, or to the appropriate senior administrator reporting directly to the President. The Associate Vice President will provide copies of the report to the grievant, the respondent, their counsel, if any, and to all members of the Committee.

REVIEW AND FINAL DETERMINATION OF GRIEVANCE

8.01 The final report of the Committee will be forwarded to the appropriate Vice President or senior administrator. Any documentation provided by the grievant or respondent and the recordings will be made available to the appropriate Vice President or senior administrator, upon request. After review, in consultation with the President, the appropriate Vice President or other senior administrator will determine the outcome of the grievance and issue a final decision. This decision will be implemented and considered final and binding.

8.02 The appropriate Vice President or other senior administrator will render and communicate the final decision in the case within thirty (30) working days to the members of the Committee, to the grievant, to the respondent, their counsel, if any, and to the Associate Vice President. Should the decision be contrary, in whole or in part, to the recommendation(s) of the Committee, the Vice President or senior administrator will include a statement of the reasons the recommendation(s) of the Committee were not accepted.

Approved:
May 25, 1978

Revised:
August 31, 1981
November 1983
February 1988
May 2004
June 2007
June 2026