



# Policies and Procedures

## 3.XX / Internal Dispute Resolution Process

### PURPOSE:

Situations may occur where an employee believes that the fair and consistent application of a Wichita State University (“University”) policy affecting the employee has not been followed. In most cases, the University expects that the employee will be able to satisfactorily address such concerns within the work area through an informal process. If the situation cannot be resolved through an informal process, the University wishes to provide employees an alternative internal process. All decisions made regarding the Internal Dispute Resolution Process should be unbiased, non-retaliatory, and non-discriminatory.

### SCOPE:

This policy applies to all University employees with the following exceptions:

- Faculty employees, as defined in Policy #5.06 Resolution for Internal Disputes for Faculty.
- University Support Staff (USS) who are covered by a collective bargaining agreement.
- Employees who are in a status of Student, Temporary, Provisional, or Probationary.
- Employees who have separated employment with the University.

### POLICY STATEMENT:

The University provides a formal process to address situations that arise which are not able to be resolved in the course of routine communication. Employees are encouraged to attempt resolution of work-related concerns directly with Management prior to use of the formal Internal Dispute Resolution Process. The processes for incidents involving sexual misconduct, sexual harassment, relationship violence, stalking, and/or discrimination are addressed in separate University policies. The Internal Dispute Resolution Process is not to be used to prevent, limit or delay appropriate corrective action.

### DEFINITIONS:

**Management:** For purposes of this policy, Management is the individual to whom the employee initiating the Dispute Resolution reports.

**Senior Management:** For purposes of this policy, Senior Management is an individual at the University who has direct reports, is in a position at the director level or above who is not in the chain of command of the employee initiating the Dispute Resolution, and is involved in the Internal Dispute Resolution Process.

**Dispute:** A claim that the University has applied a policy or process to an employee unfairly or inconsistently. A Dispute Resolution is a timely and written complaint filed by an employee related to a concern regarding the fair and consistent application of a University policy. Examples of situations excluded from this process are complaints concerning wages, performance evaluations, and separations of employment.

**Dispute Resolution Request:** Document used to describe a Dispute.

## **ROCEDURE:**

The University's Internal Dispute Resolution Process consists of three steps:

*Step I: Review*

*Step II: Appeal*

*Step III: Final Review*

Each step of the process is structured to minimize any potential bias. It will result in participation of individuals who may be in a different chain of command than the employee. It will also result in participation by Human Resources (HR) or Equal Opportunity (EO), dependent upon the situation.

Employees are required to follow the time limits in the process set forth below to ensure enough time is provided to review information and respond to the Dispute Resolution in a timely manner:

- *Step I: Review* – The Review must be dated and filed within ten (10) University business days from the latest documented attempt at resolution, not to exceed twenty (20) University business days from the date of the original event leading up to the Dispute Resolution.
- *Step II: Appeal* – The Appeal must be dated and filed within ten (10) University business days of the date of the written response of *Step I: Review*.
- *Step III: Final Review* – The Final Review must be dated and filed within ten (10) University business days of the date of the written response of *Step II: Appeal*.

### *Step I: Review*

1. The employee notifies HR of the dispute and requests to utilize the Internal Dispute Resolution Process. HR discusses the request with the employee. HR determines if the situation meets the criteria of a Dispute Resolution, or advises the employee of an alternative course of action, such as informal conflict resolution.
2. If it is determined that the Internal Dispute Resolution Process will be utilized, the employee completes the Dispute Resolution Request and submits it to HR. The Dispute Resolution Request must be dated and filed within ten (10) University business days from the latest documented attempt at resolution, not to exceed twenty (20) University business days from the date of the original event leading up to the Dispute Resolution.

3. Upon receipt of a Dispute Resolution, HR or EO will inform Management of the Dispute Resolution.
4. Senior Management will review the submitted documentation, and may schedule a meeting with the employee.
5. Senior Management will provide a decision via written response to the employee, HR or EO, and Management, not to exceed twenty (20) University calendar days of the date of the Dispute Resolution.

*Step II: Appeal*

1. If the employee is unsatisfied with the response from *Step I: Review*, the employee can proceed to *Step II: Appeal* by submitting a Dispute Resolution Request to HR or EO. The Dispute Resolution Request must be filed within ten (10) University business days from the date of the decision from *Step I: Review*.
2. HR or EO will review the submitted documentation, and may schedule a meeting with the employee.
3. HR or EO will provide a decision via written response to the employee, Senior Management, and Management, not to exceed twenty (20) University business days of the date of the Dispute Resolution in *Step II: Appeal*.

*Step III: Final Review*

1. If the employee is unsatisfied with the response from *Step II: Appeal*, the employee can proceed to *Step III: Final Review* by submitting a Dispute Resolution Request to HR or EO. The Dispute Resolution Request must be filed within ten (10) University business days from the date of the decision from *Step II: Appeal*.
2. Upon receipt of the Dispute Resolution request in *Step III*, HR or EO will inform the University President, or the President's designee, of the Dispute Resolution.
3. The University President, or the President's designee, will review the submitted documentation, and may schedule a meeting with the employee.
4. The University President, or the President's designee, will provide a decision via written response to the employee, Senior Management, HR or EO, and Management, not to exceed twenty (20) University business days of the date of the Dispute Resolution Request Form received in *Step III: Final Review*.
5. The decision of *Step III: Final Review* is final and binding.

**ATTACHMENTS:**

Attachment A – Dispute Resolution Request

**Revision Date:**

June 17, 1999

February 12, 2004

April 4, 2017



CHAPTER 6



TABLE OF  
CONTENTS

DRAFT