

- 46 C. A bargaining unit member who is serving as the Association’s grievance officer and files
47 a grievance on their own behalf shall relinquish the role of grievance officer for the
48 bargaining unit until their dispute is resolved.
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- 50 D. Time is of the essence in the presentation of grievances. The time limits provided below
51 for the initial presentation of a grievance are measured from the date of the act, omission,
52 or commencement of condition upon which the grievance is based; or from such later
53 date that the Grievant knew or reasonably should have known of the act, omission, or
54 commencement of the condition upon which a grievance is based.
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- 56 1. In the event the time limit expires on a Saturday, Sunday, or holiday recognized by
57 Oregon Tech, the time limit is automatically extended to the next business day.
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 - 59 2. Time limits shall be extended for bargaining unit members who are on approved
60 protected leave, other than sabbatical leave under Article [x], and resume the business
61 day after returning from the leave.
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 - 63 3. When mutually agreed upon by the parties, the time limits in any step of the
64 grievance procedure may be modified. Any agreement to modify the time limits must
65 be in writing.
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 - 67 4. If the grievant or Association fails to meet the specified time limits, including any
68 written modifications thereof, at any step of the grievance procedure, the grievance
69 shall be considered withdrawn and it cannot be resubmitted or refiled. If Oregon
70 Tech fails to issue a response within the specified time limits, including any written
71 modifications thereof, at any step of the grievance procedure, the grievance may be
72 advanced to the next step of the grievance procedure.
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- 74 E. Grievances and Notices of Intent to Arbitrate shall only be submitted on the forms
75 attached in Appendix [x] of this Agreement (i.e., Grievance Form, Grievance Review
76 Forms, and Notice of Intent to Arbitrate). All sections of the appropriate form being
77 submitted must be completed and signed by the Grievant.
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- 79 F. Once a grievance is filed, neither the Grievant nor the Association shall expand upon the
80 original elements and substance of the written Grievance Form.
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- 82 G. Oregon Tech may deny, with leave to refile within the time limits set forth in this Article,
83 a grievance that is not filed in accordance with this Article .
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- 85 H. A grievance may not be presented under this Article which occurred prior to the effective
86 date of this Agreement.
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- 88 I. A grievant, or the Association as the case may be, may withdraw a grievance at any time.
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- J. For all meetings under this Article, the parties shall inform each other at least one (1) day in advance of the meeting as to who will participate in the meeting. A failure to comply with this provision shall not act to cancel the meeting but will act to bar attendance by those not disclosed.
- K. If the matter being grieved relates to an act or omission by the Dean or Provost, the grievance may be presented at Step Two or Step Three, utilizing the Grievance Form.
- L. If the matter being grieved relates to an act or omission by the President, the grievance may be presented at Step Three, utilizing the Grievance Form.

Section 4. Presentation of Grievances.

Informal Procedure. Within fifteen (15) days, the Grievant, or the Association on behalf of the Grievant, shall file the grievance on the Grievance Form, consistent with the requirements of this Article, with the administrator most directly concerned in an attempt to resolve the grievance informally. Upon request of either party, the parties shall meet within ten (10) days of receipt of the Grievance Form. The administrator shall provide a written response to the party filing the grievance within ten (10) days of receiving the Grievance Form or conclusion of the meeting if one occurs.

Formal Procedure. If the grievant chooses not to initiate the informal procedure, above, or the matter is not satisfactorily resolved by the informal procedure, the following formal grievance procedure may be invoked. In no event, however, will a grievance be presented more than forty (40) days after the act, omission, or commencement of the condition on which the grievance is based.

Step 1: Dean’s Level.

Within forty (40) days, the Grievant, or the Association on behalf of the Grievant, shall file the grievance on the Grievance Form consistent with the requirements of this Article with the Dean or Dean’s designee.

Upon request of either party, the parties shall meet within ten (10) days of receipt of the Grievance Form. The Dean or Dean’s designee shall send a decision in writing to the party filing the Grievance Form within ten (10) days of receiving the Grievance Form or conclusion of the meeting if one occurs.

Step 2: Provost’s Level

If the Grievant is not satisfied with the decision at Step 1, a request for review may be filed on the Grievance Review Form with the Provost or Provost’s designee within ten (10) days of the date of the decision at Step 1.

*OT-AAUP reserves the right to add to, modify, or amend proposals during the course of negotiations.

135 Upon request of either party, the parties shall meet within ten (10) days of receipt of the
136 Grievance Review Form. The Provost or Provost’s designee not hearing the grievance at Step
137 One, shall send a decision in writing to the party filing the Grievance Review Form within ten
138 (10) days of receiving the Grievance Review Form or conclusion of the meeting if one occurs.
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140 **Step 3: President’s Level.**

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142 If the Grievant is not satisfied with the decision at Step Two, a request for review may be filed
143 on the Grievance Review Form with the President or President’s designee within ten (10)
144 business days of the date of the decision at Step Two.
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146 Upon request of either party, the parties shall meet within ten (10) days of receipt of the
147 Grievance Review Form. The President or President’s designee not hearing the grievance at Step
148 One or Two, shall send a decision in writing to the party filing the Grievance Review Form
149 within ten (10) days of receiving the Grievance Review Form or conclusion of the meeting if one
150 occurs.
151

152 **Section 5. Notice of Intent to Arbitrate.**

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154 If the Grievant is not satisfied with the decision provided in Step 3, the Association may file a
155 Notice of Intent to Arbitrate form, in Appendix [x], with the President or the President’s
156 designee and General Counsel within twenty (20) days of the date of the decision at Step 3. The
157 process for arbitration is outlined in Article [x]:Arbitration.
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159 No Grievant may advance a grievance to arbitration unless it is with the approval and
160 participation of the Association.
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GRIEVANCE FORM

Informal Procedure

Formal Procedure

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Name of Grievant(s): _____

Filed With: _____

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| Date Grievance Occurred or Discovered: _____ |
| Article(s) Violated: _____ |
| Statement of Grievance (identify the violation, misinterpretation, or improper application of the provisions of this Agreement): _____ |
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| <input type="checkbox"/> Continued on separate page(s). |
| Remedy Requested: _____ |
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| _____ |

Grievant(s) Signature: _____

Grievant(s) Phone: _____; Grievant(s) Email: _____

- Self Represented
- Represented by the following Association representative
- I request a meeting.

Representative's Signature: _____

Name: _____

Phone: _____; Email: _____

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GRIEVANCE REVIEW FORM

STEP TWO

(Attach the original Grievance Form and decision of Dean or Dean’s designee)

I am not satisfied with the decision at Step One, or Oregon Tech failed to respond in a timely manner at Step One, and I hereby move the grievance to Step Two for review by the Provost or Provost’s designee.

I do not request a meeting. Please issue a written response to this matter within ten (10) business days from today’s date, _____ [Print date].

I request a meeting. Please schedule a meeting to discuss resolution within ten (10) business days from today’s date, _____ [Print date].

Grievant(s) Signature: _____

Self Represented

Represented by the following Association representative

Representative’s Signature: _____

Name: _____

STEP THREE

**(Attach the original Grievance Form, and the decision(s) of the
Dean or Dean’s designee and/or Provost or Provost’s Designee)**

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I am not satisfied with the decision at Step Two, or Oregon Tech failed to respond in a timely manner at Step Two, and I hereby move the grievance to Step Three for review by the President or President’s designee.

I do not request a meeting. Please issue a written response to this matter within ten (10) business days from today’s date, _____ [Print date].

I request a meeting. Please schedule a meeting to discuss resolution within ten (10) business days from today’s date, _____ [Print date].

Grievant(s) Signature: _____

Self Represented

Represented by the following Association representative

Representative’s Signature: _____

Name: _____

NOTICE OF INTENT TO ARBITRATE

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The Oregon Tech Chapter of the American Association of University Professors hereby
gives notice of its intent to proceed to arbitration concerning the grievance of:

, dated _____ which was not resolved satisfactorily at Step Three of the
grievance procedure.

OT-AAUP requests ____/ does not request ____ mediation be pursued in this matter.

Name: _____
Authorized Representative, OT-AAUP

Signature: _____

Date: _____

I hereby authorize OT-AAUP to proceed to arbitration with my grievance. I understand
and agree that by filing this notice I hereby waive any rights concerning review by
Oregon Tech or judicial review as a contested case under the Administrative Procedures
Act (ORS §183) of the decisions rendered at prior steps of the grievance procedure.

Grievant's name: _____

Grievant's signature: _____

Date: _____

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