

## Non-Senate – Complaints, Concerns, and Grievances (Guidance)

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<b>APM References:</b>	<a href="#">APM 140</a>

### I. Introduction and Background

When an academic employee not represented by the Academic Senate has a concern or issue, the procedure outlined below identifies the types of concerns and gives guidance on the steps to take to address them. The goal of the University is to address all concerns in a timely manner, and proper reporting of each type of concern will aid in this goal.

### II. Eligibility

- a. This procedure only applies to Non-Senate Academics, enumerated in [APM - 115](#). This does not apply to:
  - i. Members of the Academic Senate or equivalent ranks ([see APM 115](#))
- b. For academic employees covered by a Memorandum of Understanding (MOU), this procedure applies only to the extent provided for in the MOU. Please refer to the [appropriate MOU](#) for represented academic employees for further information.

### III. Definitions *(for purposes of this procedure only)*

- a. **Grievance** (as defined in APM 140) is interpreted as a concern regarding a procedural violation of the APM, which alleges:
  - i. A specific administrative act was arbitrary or capricious and adversely affected the appointee’s then-existing terms or conditions of appointment; and/or
  - ii. A violation of applicable University rules, regulations, or Academic Personnel policies occurred which adversely affected the appointee’s then-existing terms or conditions of appointment.
  - iii. **Represented employees** with alleged violations of their unit’s Memorandum of Understanding (“MOU”) terms and conditions are to refer to their [appropriate MOU](#) for guidance on filing a grievance related to their employment agreement.
- b. **Title IX Complaint** is a concern relating to Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, or other prohibited behavior [as defined in the Sexual Violence and Sexual Harassment policy](#).

- c. **Discrimination** complaint is a concern related to negative treatment based on race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, veteran status or any other characteristic protected by state or federal law.
- d. **Improper governmental activities** are as defined by [UC Whistleblower policy](#).
- e. **Other Complaints** are concerns not related to a procedural violation of the APM or local policy (as defined in *Section III.a*), nor related to Sexual Harassment / Sexual Violence or Discrimination issues. These concerns may be a wide-range of workplace related issues, from minor to severe, including [abusive conduct / bullying](#).

#### IV. Guidelines

- a. These guidelines are a tool for proper channels of concerns; to ensure a timely response for a Non-Senate Employee.
- b. These guidelines in no way supplant existing policy on proper procedure towards filing a grievance or complaint of any kind.

#### V. Procedure

The Non-Senate Employee should determine the area of concern, as defined in *Section III – Definitions* before proceeding.

- a. For matters relating to a **Grievance** (APM 140), the Non-Senate Employee should refer to *UCR Local Grievance Procedure for Academic Appointees*, and follow the process defined within:
  - i. [https://hr.ucr.edu/docs/labor\\_relations/grievance/apm\\_140\\_ucr\\_local\\_grievance\\_procedure\\_for\\_non\\_senate\\_academics.pdf](https://hr.ucr.edu/docs/labor_relations/grievance/apm_140_ucr_local_grievance_procedure_for_non_senate_academics.pdf)
- b. For matters regarding a **Title IX**-related complaint (Sexual Misconduct), the Non-Senate Employee should report the incident(s) to Title IX. Academic employees may also seek confidential support from the CARE Advocate Office.
  - i. <https://titleix.ucr.edu/reporting.html>
  - ii. <https://care.ucr.edu/>
- c. **Discrimination** complaints should be referred to the Equal Employment & Affirmative Action office, as defined by local procedures for [Employment Related Discrimination, Harassment, and Retaliation](#):
  - i. By calling the EEAA department at 951-827-5604;
  - ii. By emailing the EEAA department at [affirmativeaction@ucr.edu](mailto:affirmativeaction@ucr.edu)
  - iii. In person by visiting the EEAA department located at 1201 University Ave; University Village Ste. 208; or
  - iv. Online by completing and submitting a UCR Discrimination/Harassment Complaint Form at [http://hr.ucr.edu/affirmative\\_action.html](http://hr.ucr.edu/affirmative_action.html)

- d. Complaints of Improper Governmental Activities may be reported through the Whistleblower process by contacting the Locally Designated Official, reporting [online](#) or by calling the Whistleblower hotline at (800) 403-4744. Complaints may be made anonymously.
  - i. <http://compliance.ucr.edu/docs/2018UCRWhistleblowerPosterB.pdf>
- e. For **Other Complaints** (not related to the above), the following procedure should be followed:
  - i. The Non-Senate Employee should address the concern with their immediate supervisor.
  - ii. Should the immediate supervisor not address the issue in a satisfactory manner; or the Non-Senate Employee does not feel comfortable discussing with their supervisor, the concern should be submitted in writing to their second-line supervisor and/or Academic Personnel Director (or designee) for their school/college/program.
  - iii. If the Non-Senate Employee does not feel their concern is being adequately addressed by either their immediate supervisor, second-line supervisor, or Academic Personnel Director (or designee), they should submit their concern in writing to the Academic Personnel Office at [academicpersonnel@ucr.edu](mailto:academicpersonnel@ucr.edu).
    - 1. Allow up to 7 business days for a response to all written complaints sent to the central Academic Personnel Office.

## VI. Additional Resources

- a. **Help @ UCR** – <http://help.ucr.edu/>

Guidance and links to proper reporting for all types of concerns or issues.

- b. **Ombuds Office** – <http://ombudsperson.ucr.edu/>

The Office of the Ombuds is a confidential, impartial, informal and independent resource that assists UCR community members, including students, faculty and staff, in addressing or resolving a dispute or ongoing conflict. Consultations with the Office of the Ombuds do not constitute notice to the university.

- c. **CARE Advocate** – <http://care.ucr.edu/>

CARE (Campus Advocacy, Resources & Education) is an intervention and prevention support program committed to ending sexual violence at UC Riverside. They are also a confidential resource. Provides direct advocacy, resources and prevention educational programming related to issues of sexual assault, relationship violence and stalking to students, staff, faculty, and UCR affiliates. They can be reached at [advocate@ucr.edu](mailto:advocate@ucr.edu) or (951) 827-6225.

d. **Title IX** – <https://titleix.ucr.edu/>

Consultation and investigation of concerns relating to sexual assault/violence, domestic violence, dating violence, stalking, sexual harassment, and retaliation. The Title IX Office can be reached at [TitleIX@ucr.edu](mailto:TitleIX@ucr.edu) or 951-827-7070.

e. **Equal Employment & Affirmative Action** – [https://hr.ucr.edu/equal\\_employment.html](https://hr.ucr.edu/equal_employment.html)

The UCR Equal Employment and Affirmative Action department is responsible for ensuring compliance with equal employment opportunity laws through the creation and monitoring of policies and guidelines; training and consultation; and complaint resolution. They can be reached at [affirmativeaction@ucr.edu](mailto:affirmativeaction@ucr.edu) or 951-827-5604.

f. **Academic Personnel Office (“APO”)** – <http://academicpersonnel.ucr.edu/>

Central employment office for all Academic Employees. Resource on all matters of academic policy and procedure, including Employee Relations. APO can be reached at [academicpersonnel@ucr.edu](mailto:academicpersonnel@ucr.edu) or 951-827-2935.

g. **Campus Police Department** – <http://police.ucr.edu/>

9-1-1 (for emergency) or 951-827-5222 (for non-emergency).

Represented or Non-Represented

Types of Concerns

Proper Reporting Channel

