



# OLD DOMINION UNIVERSITY

## University Policy

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### Policy #6604

### VIRGINIA HEALTH SCIENCES GRIEVANCE POLICY (INTERIM POLICY)

**Responsible Oversight Executive:** Executive Vice President for Health Sciences

**Date of Current Revision or Creation:** July 1, 2024

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This policy provides a formal process for considering and resolving grievances for Virginia Health Sciences Faculty to whom the Grievance Policy for Administrative and Professional Faculty and the Faculty Grievance Policy does not apply.

[Virginia Code Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

Administrative and Professional (A/P) Faculty - Employees who perform work directly related to the management of the educational and general activities of the institution, department or subdivision or whose professional positions serve the educational, research, athletic, medical, student affairs, and development functions or activities of the institution.

Administrative and Professional (AP) Medical Restricted Faculty – Employees who have been accepted in the Eastern Virginia Medical School Graduate Medical Education (GME) Program and have the title of Resident, Chief Resident, or Fellow.

Administrative and Professional (AP) Medical Faculty – Employees who have administrative or professional duties directly related to the management or administration of, or patient care services in, a clinical care setting on behalf of EVMS Medical Group.

Department Head – The Chair of a Department in the School of Medicine or the Dean of the School of Health Professions for programs in the School of Health Professions.

Grievance – The formal, written complaint about a grievable matter that details the specifics giving rise to the matter and asks Virginia Health Sciences Human Resources to take a formal course of action.



- d. Acts of retaliation as a result of using the Virginia Health Sciences Grievance Policy; and
  - e. Any other violation of Virginia Health Sciences policies that does not have an alternative complaint process.
2. Non-grievable Matters. Matters that may not be grieved using this Virginia Health Sciences Grievance Policy include:
- a. Complaints of discrimination based upon race, color, national origin, religion, sex, age, disability, genetic information, or other characteristic protected by law, which must be reported through the [Office of Institutional Equity & Diversity](#);
  - b. Job classification, compensation, and benefits;
  - c. Job duties accepted at the time of employment or reasonably expected to be a part of the position;
  - d. The contents or interpretation of established personnel policies, procedures, rules, and regulations;
  - e. Failure to promote except where the employee can show established promotional policies or procedures were not followed or applied fairly;
  - f. The methods, means, and personnel by which such work activities are to be carried on;
  - g. Discharge, layoff, suspension, or reduction in effort from duties because of lack of work, reduction in the workforce, or job elimination;
  - h. Academic disciplinary action by a residency/fellowship program or the Graduate Medical Education Committee;
  - i. Hiring, promotion, transfer, assignment, and retention of other employees; or
  - j. Alleged misconduct in science, which is subject to #1426 Policy, Procedures and Timeline for Responding to Allegations of Misconduct in Scientific Research and Scholarly Activity.
3. Determination of Grievability. The Associate Vice President of Human Resources for Health Sciences (AVPHRHS) or their designee shall make the determination as to whether matter submitted by a Grievant is grievable. All such decisions are final and are not further grievable or subject to appeal. The classification of a complaint as non-grievable, however, shall not be construed to restrict any employee's right to seek or ODU's right to provide customary administrative review of complaints outside the scope of the grievance procedure.
1. Time Limits. Time limits specified in this policy refer to business days. Time limits exceeded by the Grievant will be assumed to constitute acceptance of the prior decision.
2. Grievance Procedure Steps. The grievance procedure will progress through the following steps, as applicable, within the specified time limits. All meetings must be held in private, and information obtained must be considered confidential. Audio, video, or other recording and/or transmission devices may not be used during any step of the grievance process.
- a. *Step One*. Except for an employee who has been terminated, demoted, suspended, or has suffered a reduction in wages or salary, an employee who has a grievance (including a grievable issue with a co-worker) is required to discuss the problem directly with his/her immediate supervisor and the grievance need not be reduced to writing until this step has been completed. This step must be initiated within five (5) days of the occurrence of the alleged problem or precipitating event. Note: An employee who has been terminated,

However, supervisors must document this step and forward the documentation to the AVPHRHS with the assumption that a formal grievance will follow.

- b. *Step Two:* If the results of the discussion in step one fail to satisfactorily resolve the problem the employee may file a written grievance within five (5) days of the meeting with the supervisor, to be submitted to the Department Head. Within fourteen (14) days of receiving the written grievance, the Department Head or designated representative will meet with involved parties to discuss the complaint and, if necessary, to conduct an investigation, and within ten (10) days f6 (n)2.R ( f6 (n)5pc.8 ( n)2.R ( -0.7 (t)(1)-4.y)-8 (1)-0.9,)( n) re( n) ivi., nthe written response from the Department Head, or for all grievances of termination, demotin5pc..8 (n)-0.7 (,)-4 ( s)-4.3 (u)10.2 (s)-4.4 (p)-0.7 (e)-6 (n)-0.7 (s)-4.3 (i)-3.3 (pc.9 SH.3 (sc)1.1 (i)2.7 (en)5.2(sc)1.1 (es)1.7 ( H)5.5 (u)16.1 (m)-3.4 (a)2.8(n)5.3 ( R)12.3 (es)1.7 (o)-3.6 (u)5.3



