

Know Your Rights!

The Right to Confer with AAUP-KSU about Filing a Grievance

As defined in the 2019 *Collective Bargaining Agreement*, Article VII, Section 1.A (p. 31), a grievance is “a claim based upon an event or condition that affects the terms and conditions of employment stated in and governed by the Agreement and that arises from the interpretation, meaning, or application of any provisions of this Agreement.”

The material in Sections i-iv of Department, School, and College handbooks is incorporated by reference into the *Collective Bargaining Agreement* (see Article VI, Section 7.F, pp. 20-22), as is much of University Policy. As such, **AAUP-KSU has the right to grieve violations of unit handbooks or relevant University policy as well as violations of the *Collective Bargaining Agreement*.**

Any Faculty member or group of Faculty members covered by the CBA, whether or not they are directly adversely affected by the violation, can file a grievance in conjunction with AAUP-KSU (see CBA, Article VII, Section 1.D.1, p. 31).

The specific procedures for filing a grievance are spelled out in the CBA, Article VII, Section 1.A-M (pp. 31-34). The broad outlines are as follows:

- Prior to the filing of any formal grievance, there should be an attempt at **informal resolution**. Such an attempt can either be initiated by the aggrieved Faculty member or, if the Faculty member prefers, by the AAUP-KSU Grievance Chair.
- If the issue is not informally resolved, a **formal grievance** may be initiated by AAUP-KSU on behalf of the aggrieved Faculty member. Many grievances are initiated at Step One. This involves a meeting with the relevant Dean followed (within 15 days) by a written answer to the grievance from the University. If the Step One answer is not satisfactory, AAUP-KSU may proceed to Step Two. This involves a hearing by the Associate Provost for Faculty Affairs and Curriculum followed (within 15 days) by a written disposition of the grievance by the University. If this is not satisfactory, AAUP-KSU may decide to take the case to binding arbitration.
- **The formal grievance must be filed within 45 days** “after the occurrence of the events upon which it is based or within forty-five (45) days after the Faculty member knew or through the exercise of reasonable diligence should have known of the events on which it is based” (Article VII, Section 1.E, p. 32).

To inquire about filing a grievance, or if you have any questions about whether a violation of the CBA, a unit handbook, or relevant University policy has taken place, contact AAUP-KSU at (330) 673-9118 or office@aaupksu.org.