

Grievance Process for Postdoctoral Fellows/Trainees at UC Denver

I. Rationale for Process

This process provides Postdoctoral Fellows/Trainees (jobcode 1438; hereafter referred to as “postdoctoral fellows”) with the protocols to present grievances. This process is to accompany, and is produced in fulfillment of the mandate in, the “Policy for Research Postdoctoral Fellows-Trainees at University of Colorado Denver”, January 2009. Nothing in this document should be interpreted as 1) altering the fact that the role of the postdoctoral fellow is educational in scope or 2) in any way restrict the role of the faculty mentor in managing that educational relationship. Furthermore nothing in this document alters the at-will status of postdoctoral fellows.

II. Exclusions from this Process

If the grievance concerns an allegation of discrimination or matters of the responsible conduct of research then the grievance is not covered by this process.

- A. For alleged discrimination, including, but not limited to, harassment and sexual harassment, the complaint should be filed with UCD’s Employment Rights Compliance and Investigation Officer at 303-315-2724 or sent to Attn: Compliance Officer through campus mail at mail stop 130. Also see University policies:
https://www.cusys.edu/policies/policies/HR_SexualHarrassment.html
Affirmative Action Title IX and Section 504 Programs, University of Colorado Policy
<https://www.cu.edu/regents/Policies/Policy10A.htm>
<http://www.administration.ucdenver.edu/admin/policies/hr/Nondiscrimination.pdf>
- B. For issues involving misconduct in research and authorship the issue should be directed to the Office of Regulatory Compliance for referral to the Committee for Research Ethics. See this URL for the Administrative Policy Statement:
https://www.cusys.edu/policies/policies/A_MisconductResearch.html

III. Resolution of Grievance

A. Step One: Informal Resolution of Grievance

1. A Postdoctoral Fellow is required to seek informal resolution of the grievance before filing an official grievance. First and foremost the postdoctoral fellow should discuss the matter with his/her research mentor. Other options for resolution that should be considered at this stage include discussing the matter with other faculty, with a department or division administrator, with the Chair of the department (or division or program head), or with the Ombuds Office.
2. At the postdoctoral fellow’s option, the Postdoctoral Office may be informed that informal resolution of a grievance is being attempted.
3. Attempts at informal resolution do not extend the time limits for filing a formal grievance.

B. Step Two: Formal Grievance

1. If the grievance cannot be resolved informally, then the fellow may present a formal grievance in writing to the Chair of the Department within which the

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party(ies) named in the grievance is/are rostered. (See exceptions under “V. General Provisions, A. Alternate Authority”). This must be submitted within sixty (60) days from the date on which the Postdoctoral Fellow knew, or could reasonably be expected to know, of the event or act which gave rise to the grievance, or in the case of separation or termination, within thirty (30) days after the date of receiving notice from the department.

2. A copy of the grievance document and any supporting materials must be sent to the Postdoctoral Office which monitors and administrates the grievance process and time schedule.
3. The grievance must contain the following information: the behavior, policy, or violation of policy that is being grieved; the name of the person(s) alleged to have carried out the actions that are the basis of the grievance; the date(s) of the behavior or violation; a statement of why the postdoctoral fellow believes the action(s) was/were either arbitrary or capricious, or in violation of a University policy; a summary of efforts made toward informal resolution; a description as to how his/her appointment or training was adversely affected by the action(s); and specify the desired outcome.
4. The Chair of the Department has thirty (30) days to collect information and make a ruling in writing. The ruling must be discussed with the concerned parties, the parties must each be given a copy of the ruling, and a copy of the ruling must be sent to the Postdoctoral Office.

C. Step Three: Appeal/Final Ruling

1. If the Chair’s ruling does not satisfy the grievant, then the postdoctoral fellow can file a request for review with the Dean of the School or College, in which the person(s) named in the grievance is/are rostered. This must be completed within seven (7) days of receipt of the departmental Chair’s ruling and must be submitted to the Postdoctoral Office in writing.
2. The Dean has thirty (30) days from receipt of the materials from the Department Chair (or other individual making the initial ruling) to make the final ruling in the grievance.
3. The Dean may request additional information or interview the parties involved in the grievance.
4. The Dean will notify the postdoctoral fellow[s] submitting the grievance, the other individuals named in the grievance, the Department Chair, and the Postdoctoral Office of the decision.
5. This ruling cannot be appealed.

IV. General Provisions

A. Alternate Authority for the Formal Grievance

1. In the case when a Chair of the Department is named in the grievance, the formal grievance shall be submitted to the Dean of the respective School or College within which the department resides. The Dean may choose a designee to consider the grievance. The “Appeal/Final Ruling” process will be as described above.
2. In a case where more than one individual is named in the grievance and the individuals are rostered in different departments, the grievance must be presented to each department and will be treated as separate processes.
3. In a case within the College of Nursing where the structure does not necessarily include the office of Chair, the Associate Dean for Research will act as the first decision-maker in “Step Two: Formal Grievance.”
4. Other scenarios will need to be handled by the Postdoctoral Office under advisement from the Dean of the Graduate School, and/or with consultation of the Postdoctoral Advisory Committee.

B. Representation

1. Because these are educational matters and not legal proceedings, attorneys may not be present to represent the postdoctoral fellow or the individual(s) named in the grievance.
2. The postdoctoral fellow may request that another individual help to present the grievance during the formal grievance process. This individual may accompany the postdoctoral fellow to the meetings with the Chair or the Dean.

C. Record Keeping

The Postdoctoral Office will be the repository for all grievance records which shall be retained according to campus policy on Human Resources and Risk Management documents.

VI. Appendix

Contact information:

Human Resources: 303-724-2700, <http://administration.ucdenver.edu/admin/hr/index.php>

Ombuds Office: 303-724-2950, Building 500 Room C7005 <http://www.uchsc.edu/ombuds/>

Postdoctoral Office: 303-724-2930, Academic Office Bldg Room 2600, Mailstop: C296