

**The University of Wisconsin Oshkosh**  
**Policy #:**  
**University Staff Complaint Procedures**



**1 PURPOSE**

The purpose of this policy is to establish university staff complaint procedures at UW Oshkosh. This document communicates the University's expectations for managing allegations concerning university staff conduct in violation of UW Oshkosh rules or policies, or adversely affects the university staff member's performance or obligation to the university. Complaints may be submitted by other university staff, faculty, academic staff, administrators, students, or members of the public. UW Oshkosh is committed to establishing and maintaining harmonious working relationships between employees, supervisors and the employees they supervise, and interactions with students and the general public.

**2. RESPONSIBLE OFFICER**

The Office of Human Resources will maintain this policy. Please contact Human Resources at [hroffice@uwosh.edu](mailto:hroffice@uwosh.edu), (920) 424-1166, or at <https://hr.uwosh.edu/>.

The Office of the Provost & Vice Chancellor documents approved policies in the Faculty & Staff Handbook at <https://www.uwosh.edu/provost/Main%20Highlight/handbooks>.

**3. SCOPE**

If a UW Oshkosh employee (other than the university staff member's supervisor), student, or a member of the public believes that they have been inappropriately treated by a university staff member in such a way that violates UW Oshkosh rules or policies, or which adversely affects the university staff member's performance or obligation to the university, an attempt should be made to address the issue directly with the university staff member or with the university staff member's supervisor. If such an approach does not resolve the issue, or is not practical to attempt, the university grievance and complaints processes are available for resolution.

Retaliation against individuals who initiate complaints or cooperate with the investigation is contrary to university policy. Retaliatory behavior is itself a form of misconduct that may form the basis for disciplinary action.

**4. BACKGROUND**

Chapters UWS 6 and UWS 13 of the Wisconsin Administrative Code require UW System institutions to establish complaint procedures for faculty and academic staff in cases involving allegations made by persons other than the employee's supervisor.

Effective July 1, 2015, this policy UPS OP: GEN 24 established university staff complaint procedure guidelines.

**6. POLICY STATEMENT**

1. The UW Oshkosh Chancellor or the Chancellor’s designee must review all complaint allegations. Procedures should designate an individual or body with the power and authority to investigate the complaint and to recommend solutions to the Chancellor if the problem cannot be otherwise resolved.
2. If someone witnesses or has information regarding the commission of a crime, it should be reported directly to the University Police Department. This policy shall not abridge rights protected by the U.S. Constitution or other federal or state laws.
3. If the issue involves witnessing or experiencing an act committed against any person, group, or property which discriminates, stereotypes, harasses, or excludes anyone based on a protected characteristic such as gender, race, age or a similar part of their identity, please contact the Office of Academic Support of Inclusive Excellence. The Complaint Form is available online at <https://equity.uwosh.edu/forms/>.
4. The difference between a Grievance and a Complaint is outlined below.

	Grievance	Complaint
Nature	alleges unfair treatment or dissatisfaction with aspects of working conditions	objection to perceived misconduct and seeks disciplinary action against another employee
Focus	relief	sanction; can lead to dismissal from employment for another employee
Rules	UW Oshkosh University Staff Personnel Rules (Grievances Policy)	UW Oshkosh University Staff Personnel Rules (Complaints Policy)

**7. REFERENCES**

- UW System Operational Policy GEN 24 – Complaint Procedures
- UW System Operational Policy WE3 – Workplace Expectations
- UWO Workplace Conduct Expectations Policy
- UWO University Staff Grievance Policy

## **8. PROCEDURES**

UW Oshkosh employees (other than the university staff member's supervisor), students, or members of the public are encouraged to attempt to resolve Complaints at the lowest possible level of the organization through open dialogue with those involved. If such an approach does not resolve the issue, or is not practical, the university complaint procedures set forth in this policy are available.

1. Contact the Office of Human Resources within 60 calendar days of the alleged misconduct (this deadline may be extended in the case of extenuating circumstances). The complaint should be made in person, by phone, or in writing. The complainant will be asked to provide the information identified below (a form is available, but not required; Attachment 1):
  - A. Explain the nature of the complaint and the specific circumstances
  - B. Identify specific witnesses, if applicable, who may provide supporting evidence
  - C. Provide complainant contact information (phone, email)
  - D. State the specific remedy sought
2. Human Resources will review the complaint, determine a follow-up action, notify the complainant of their plan of action, and explain the next steps of the process. If deemed appropriate, Human Resources will also notify the accused. Follow-up actions can include:
  - A. Dismissal of the complaint
  - B. Establishing an informal resolution/mediation process
  - C. Referring the matter to the Office of Academic Support of Inclusive Excellence
  - D. Completing an investigation to determine other appropriate steps
  - E. Invoking appropriate disciplinary action
3. If the complainant is unsatisfied with Human Resources' follow-up actions, a formal complaint shall be written, signed, and submitted to the University Staff Senate (USS) within 10 calendar days of Human Resources' resolution of the complaint. The written complaint should:
  - A. Explain the nature of the complaint and identify the rights, procedures, and/or policies violated
  - B. Include Human Resources' follow-up actions and steps taken to resolve the issue

- C. State specific witnesses, if applicable, who may provide supporting evidence
  - D. Provide complainant contact information (phone, email)
  - E. State the specific remedy sought
4. A USS Hearing Committee shall aim to hold a hearing not more than 45 calendar days from the date in which they received a formal complaint from the complainant. The time limit may be extended by mutual consent of the parties. The affected parties shall be given at least 10 calendar days' notice for the hearing. Please see the USS Hearing Committee document in the University Staff Senate Bylaws.

The findings and recommendation of the USS Hearing Committee shall be reported, in writing, to the Chancellor. Recommendations may be:

- A. Dismissal of the complaint
  - B. Other corrective action or resolution process
5. The Chancellor or designee may complete a further investigation of the allegations, and shall notify the affected parties, in writing, of the decision:
- A. Support the University Staff Senate decision
  - B. Dismiss the complaint
  - C. Make an alternate final resolution of the complaint
6. Human Resources will maintain complaint records and evidence in confidential files, subject to open records law. Documents will not be placed in employee personnel files unless disciplinary action has occurred at which time a letter will be placed in the personnel file.

**9. REVISION HISTORY**

04/12/17	Draft 5 Brought to USS Chair
07/20/17	Reformatted to be consistent with Policy format

**APPROVED BY:**

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**Chancellor Andrew Leavitt**

Today's date:	
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**CONTACT INFORMATION**

Your name:	
Your department: (If a UW Oshkosh employee)	
Email address:	
Phone number:	

**COMPLAINT DETAILS**

University Staff member's name: (person about whom the complaint is filed)	
Date of Incident:	
Location of Incident:	
Description of Incident: (Provide as much detail as possible. Include witness information and other supporting documentation. Items may be attached.)	

**FOR HR USE ONLY**

Received Date: _____	Received By: _____
Action Taken: _____	
Date Resolved: _____	Empl ID(s): _____
Department/Program: _____	College/Division: _____

### University Staff Complaint Procedure Flowchart

