

PRESIDENT OF THE UNIVERSITY OR HIS DESIGNATED REPRESENTATIVE WITHIN 10 DAYS AFTER THE RECEIPT OF THE WRITTEN DECISION AT STEP THREE. THE PRESIDENT OR HIS DESIGNATED REPRESENTATIVE SHALL HOLD A CONFERENCE WITH THE AGGRIEVED OR HIS DESIGNATED REPRESENTATIVE WITHIN 10 DAYS OF RECEIPT OF THE WRITTEN GRIEVANCE APPEAL AND RENDER A WRITTEN DECISION WITHIN 15 DAYS AFTER THE CONCLUSION OF THE CONFERENCE.

(F) STEP FIVE. IN THE CASE OF ANY STILL UNRESOLVED GRIEVANCE BETWEEN AN EMPLOYEE AND THE UNIVERSITY, THE AGGRIEVED EMPLOYEE, AFTER HE HAS EXHAUSTED ALL AVAILABLE PROCEDURES PROVIDED BY THE UNIVERSITY, MAY SUBMIT THE GRIEVANCE TO EITHER ARBITRATION OR TO THE SECRETARY OF PERSONNEL. IN EITHER CASE, THE APPEAL SHALL BE SUBMITTED WITHIN 15 DAYS AFTER THE RECEIPT OF ANY WRITTEN DECISION PERTAINING TO THAT GRIEVANCE AND ISSUED BY THE UNIVERSITY. IF THE GRIEVANCE IS ARBITRATED, THE PARTIES SHALL SELECT AN ARBITRATOR BY MUTUAL AGREEMENT. IF THEY ARE UNABLE TO REACH A MUTUAL AGREEMENT, AN ARBITRATOR SHALL BE SUPPLIED BY THE AMERICAN ARBITRATION ASSOCIATION BY THEIR PROCEDURES. ANY FEES RESULTING FROM ARBITRATION ARE ASSESSED BY THE ARBITRATOR EQUALLY BETWEEN THE TWO PARTIES. THE ARBITRATION AWARD IS ADVISORY TO THE SECRETARY OF PERSONNEL AND AN ADDITIONAL APPEAL OR HEARING MAY NOT BE CONSIDERED. THE SECRETARY OF PERSONNEL SHALL MAKE THE FINAL DECISION WHICH IS BINDING ON ALL PARTIES.

13-1A-04.

A DECISION MAY NOT BE MADE AT ANY STEP OF THE GRIEVANCE PROCEDURE WHICH CONFLICTS WITH OR MODIFIES A POLICY APPROVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OR WITH ANY APPLICABLE STATUTE OR WITH ANY ADMINISTRATIVE REGULATION ISSUED UNDER APPROPRIATE STATUTORY AUTHORITY OR WHICH OTHERWISE DELIMITS THE LAWFULLY DELEGATED AUTHORITY OF UNIVERSITY OFFICIALS UNLESS PRIOR APPROVAL HAS BEEN OBTAINED FROM THE RESPONSIBLE OFFICIAL.

58 13-1A-05.

(A) SUSPENSIONS PENDING REMOVAL. WITHIN 5 DAYS FROM THE DATE ON WHICH THE ~~CAMPUS DIRECTOR OF PERSONNEL, THE DESIGNATED REPRESENTATIVE OF THE CHANCELLOR, OR HIS DESIGNATED REPRESENTATIVE~~ RECEIVES THE RETURN RECEIPT OR OTHER EVIDENCE OF DELIVERY OF THE CHARGES TO THE EMPLOYEE AN EMPLOYEE WHO IS SUSPENDED UNDER CHARGES FOR REMOVAL MAY REQUEST AN OPPORTUNITY TO BE HEARD IN HIS OWN DEFENSE. WITHIN 10 DAYS IF POSSIBLE AND NO LATER THAN 90 DAYS AFTER RECEIPT, THE ~~CAMPUS DIRECTOR OF PERSONNEL OR HIS DESIGNEE~~ CHANCELLOR OR HIS DESIGNATED REPRESENTATIVE SHALL INVESTIGATE THE CHARGES AND GIVE THE EMPLOYEE AN OPPORTUNITY TO BE HEARD. TESTIMONY SHALL BE TAKEN UNDER OATH AND BOTH THE DEPARTMENT HEAD OR CHAIRMAN AND THE EMPLOYEE HAS THE RIGHT OF REPRESENTATION BY COUNSEL AND THE RIGHT TO PRESENT WITNESSES AND GIVE EVIDENCE. IN THE CASE OF APPEALS FROM CHARGES PENDING REMOVAL, THE DEPARTMENT HEAD OR CHAIRMAN MAY REQUEST THROUGH APPROPRIATE CHANNELS THE ATTORNEY GENERAL'S REPRESENTATIVE TO THE UNIVERSITY TO SERVE AS COUNSEL. AFTER