

**GRIEVANCE TIMELINES UNDER
WEST VIRGINIA STATE CODE SECTION 6C-2 AND 6c-3**

The following chart outlines the statutory deadlines for both grievants and respondents in processing grievances under the West Virginia Public Employees Grievance Procedure. When calculating the number of “days”, Saturdays, Sundays, and official holidays are not counted. The day a grievance is filed or appealed does not count as a “day” for purposes of computing the days left until the next action must take place. Failure to comply with these time limits may mean that a grievance is dismissed or a default judgment is rendered. Efforts have been made to render the timelines for the various stages of the statutory grievance process as accurately as possible. However, readers are encouraged to consult the actual statute to clarify requirements with regard to timelines.

| LEVEL ONE - CHIEF ADMINISTRATOR | |
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| Filing of written grievance with the institutional Chief Administrative Officer. An office or individual may be designated by the Chief Administrative Officer to receive grievances filed at Level One. | Must be filed within 15 days of grievable event, or of the date on which the grievable event became known to the grievant, or of the date of the most recent occurrence of a continuing practice giving rise to a grievance. |
| NOTE: For a grievance filed at Level One, the grievant must indicate whether he/she wishes to participate in (1) a conference or (2) a hearing. Information about the features and process of these may be obtained by contacting Human Resource Services, 207 Old Main, 304.696.6455, or human-resources@marshall.edu . | |
| NOTE: The grievant must at the same time file a copy of his/her grievance with the West Virginia Public Employees Grievance Board. The address for the Board may be obtained from Human Resource Services in 207 Old Main, 304.696.6455, or human-resources@marshall.edu . | |
| The Chief Administrative Officer or his/her designee will provide either a conference or a hearing as requested by the grievant. | The conference or hearing must be provided within 10 days of receipt of the grievance. |
| The Chief Administrative Officer will render a decision on the grievance at Level One. | The decision at Level One must be issued within 15 days of the conference or hearing. |

| LEVEL TWO - ALTERNATIVE DISPUTE RESOLUTION | |
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| If an adverse decision is received at Level One, the Grievant may file an appeal to Level Two. | Must be filed within 10 days of receiving the decision at Level One. |
| NOTE: Appeals of grievances to Level Two must be made by filing directly with the West Virginia Public Employees Grievance Board. The address for the Board may be obtained from Human Resource Services in 207 Old Main, 304.696.6455, or human-resources@marshall.edu . Appeals to Level Two are not to be filed with any office at the employing institution. | |
| NOTE: For grievances appealed to Level Two, the grievant must decide whether he/she wishes to participate in (1) mediation; (2) private mediation; or (3) mediation-arbitration. The characteristics of these processes are provided in the statute. | |
| Scheduling of process selected by grievant. | Within 20 days of receipt of the appeal to Level Two with accompanying selection of process. |
| Documentation of agreement(s) reached through mediation or private mediation or agreement(s) reached and decision(s) issued through mediation-arbitration. | Within 15 days of provision of process selected by grievant. |

| LEVEL THREE - ADJUDICATION | |
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| If the results of alternative dispute resolution are unsuccessful, the grievant may appeal his/her grievance to Level Three. | Must be filed within 10 days of notification of unsuccessful results from Level Two. |
| NOTE: Appeals of grievances to Level Three must be made by filing directly with the West Virginia Public Employees Grievance Board. The address for the Board may be obtained from Human Resource Services in 207 Old Main, 304.696.6455, or human-resources@marshall.edu . Appeals to Level Three are not to be filed with any office at the employing institution. | |
| Provision of hearing at Level Three. | Within a reasonable period of time. |
| Provision of decision at Level Three. | Within 30 days following conclusion of hearing at Level Three. |

