

UCF-3.0134 Grievances Alleging Discrimination.

(1) This regulation outlines the procedures to be used for processing grievances alleging unlawful discrimination or retaliation. Federal and state laws protect employees, students, and invitees against discrimination. University policies have been developed to explain that protection and to offer solutions when discrimination is alleged on the basis of race, sex, national origin, religion, disability, age, veteran status, marital status or parental status.

(2) The Discrimination Grievance Procedure is the university procedure for addressing discrimination based on sex, race, national origin, religion, disability, age, veteran status, sexual orientation, marital status, or parental status. It responds to the University's obligations under various laws to provide equal opportunity in employment and programs and to provide access. A list of statutory and regulatory authorities is maintained on the EO/AA Office's homepage.

(3) Processing Grievances Alleging Discrimination.

(a) When an allegation of unlawful discrimination or retaliation is involved, the individual may elect to submit a written grievance under this procedure. Unless specifically prohibited by the terms of an applicable collective bargaining agreement, the grievant may submit a grievance directly to the university's Office of Equal Opportunity and Affirmative Action (EO/AA). A representative of that office will communicate with those involved in the grievance.

(b) An employee grievance submitted through other grievance procedures but which alleges discrimination will be submitted to the Director of EO/AA.

(c) Where a grievance is submitted to EO/AA, the grievant will be notified in writing of the findings of the investigation. Findings from this procedure may be considered in an employee grievance initiated under other procedures, but no grievance will be processed through more than one university administrative forum.

(d) Reports of discrimination or retaliation will be reviewed and resolved appropriately. Reports are differentiated from grievances alleging discrimination. Reports are defined as information conveyed directly to EO/AA, or to that office from another university representative receiving information. An individual using that format may forego an individual remedy in favor of a generalized corrective action or may describe a situation that does not meet the definition of discrimination or retaliation.

(4) Unlawful Retaliation. Federal and state laws protect every individual who files a discrimination grievance, or assists in the investigation, from acts of retaliation. Retaliation is defined as adverse actions taken against an individual who files or assists with a discrimination grievance.

(5) Substantiated discrimination grievances or retaliation grievances will be addressed with appropriate corrective action. EO/AA will inform the President, Provost, or appropriate Vice President when an investigation concludes with findings of unlawful discrimination or retaliation. The President, Provost, or appropriate Vice President will take steps to implement actions that will correct the unlawful discrimination or retaliation. These include but are not limited to changes in regulations, policies, or procedures; discipline administered through standard procedures; changes in the grievant's status to achieve a non-discriminatory environment; or other remedies deemed appropriate.

Authority: Florida Board of Governors Resolution dated January 7, 2003. History—New 12-27-83, Formerly 6C7-3.134, Amended 1-6-93, 4-23-03; Formerly 6C7-3.0134, Amended 5-18-09.