

Local Procedure 70: Complaint Resolution

Responsible Officer:	UCOP Chief Human Resources Officer
Effective Date:	5/5/2025
Scope:	<p>Professional & Support Staff, Managers & Senior Professionals, and Senior Management Group Members</p> <p>Employees represented by a union should consult their applicable collective bargaining agreement. Academic appointees should consult the Academic Personnel Manual.</p> <p>UCOP local procedures apply only to UCOP employees. Employees at other UC locations should consult their respective local procedures.</p>
Contact:	UCOP HR Local Procedure

I. PROCEDURE SUMMARY

This procedure provides requirements for implementation of the systemwide [Personnel Policies for Staff Members \(PPSM\) 70: Complaint Resolution](#) for local University of California Office of the President (UCOP) employees.

II. PROCEDURE TEXT

A. Filing a Complaint

1. Employee Eligibility

Eligibility to file a complaint under [PPSM-70](#) is described in Section III.B.3 of the policy.

An employee is not eligible to file if:

- They resign before filing a complaint;
- They retire before filing a complaint, unless they retire after an involuntary separation;
- They are an MSP employee appointed at Manager 3 or above. Their complaints are handled in accordance with Sections III.A.2 and III.A.3 of PPSM-70.

2. Timeliness

Timeliness requirements are described in Section III.B.5 of the policy. Deadlines that fall on a Saturday, Sunday, or university-observed holiday or during a period of curtailment will automatically be extended to the next business day.

Untimely complaints are ineligible for processing.

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3. Complaint Submission

A UCOP employee may submit a complaint online through the [UCOP Local HR Employee Complaint Intake Form PPSM 70](#), by email to ppsm70complaint@ucop.edu, or by mail or personal delivery to:

University of California, Office of the President
Attention: UCOP Local Employee and Labor Relations Manager
1111 Franklin Street,
Oakland, CA 94607

All attachments, documents, and evidence supporting the complaint should be submitted together to assist UCOP Local HR in processing the complaint efficiently. Once a complaint is filed, an employee may not amend the complaint to include additional claims or policy violations.

4. Complaint Acknowledgment

Prior to the Initial Assessment, the UCOP Local Employee and Labor Relations Manager or their designee will acknowledge receipt in writing within 10 business days of receipt.

5. Initial Assessment

The UCOP Local Employee and Labor Relations Manager or their designee will determine whether a complaint is timely, whether its claims are within the scope of PPSM-70, and whether the complaint qualifies for further review.

If the complaint is incomplete or does not contain sufficient detail, employees will have up to 15 additional business days to provide further information supporting their timely filed but incomplete complaint. Failure to provide additional information in support of the complaint will render the complaint ineligible for processing, and it will not be accepted for review.

If an employee fails to participate in a timely manner in all key aspects of the review process, the complaint may be considered resolved and closed based on the UCOP Local Employee and Labor Relations Manager or their designee's last response. Further, employees are not eligible to file a complaint over an action that has not yet occurred.

6. Right to Representation

An employee is entitled to be represented by the person of their choice at every stage of the complaint process. When an employee decides to have a representative, they must furnish the name, address, email address, and telephone number of the representative in writing to the UCOP Local Employee and Labor Relations Manager. Notification of changes in representation must also be submitted in writing to the UCOP Local Employee and Labor Relations Manager.

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7. Appeal to Systemwide Human Resources

A decision by the UCOP Local HR CHRO may be appealed to the Vice President – Systemwide Human Resources if it meets the requirements described in Section III.B.6 of PPSM-70.

B. Informal Resolution

It is in the interest of employees and the University to attempt to resolve differences as quickly and informally, when possible. Employees are generally encouraged to make a good-faith effort to resolve problems through informal discussions with their immediate supervisor. In addition, employees can choose to speak to the [UCOP Office of the Ombuds](#) to clarify concerns, understand conflict situations, and find effective ways to respond in a safe and confidential space. Appointments can be made via Zoom, phone, and in-person (if appropriate).

Pursuing an informal resolution does not extend the timeline to file a written complaint unless the University agrees to suspend deadlines during these efforts in coordination with a written agreement between the employee and the University to pursue informal resolution.

C. Release Time

Upon advance request to division/department leadership of no less than three business days, an employee is entitled to reasonable release time with pay for; (1) time spent in the informal resolution of an employee's complaint; (2) presenting or testifying at a fact-finding or formal hearing; and/or (3) other meetings convened by UCOP related to the resolution of an employee's complaint.

D. "Employee" is inclusive of Complainant(s), Respondent(s), or Witnesses(s). **Complaint Resolution Processes for Professional and Support Staff (PSS) and Managers and Senior Personnel (MSP) – Manager 3 and Below and Equivalent Employees**

STEP I: FORMAL REVIEW	
PSS	MSP
If eligible for review, the UCOP Local Employee and Labor Relations Manager or their designee will select a Step I reviewer (UCOP Local Human Resources Business) to review the employee's complaint. The Step I reviewer will provide a written response to the complainant, which may include any relevant facts and reasons for granting, in whole or in part, or denying, in whole or in part, the requested remedy.	
If the Step I decision does not grant the requested remedy in whole or in part, the decision will also include information about the complainant's right to appeal. The employee will be notified in writing of these determinations.	
Step I decisions will be issued to the complainant, along with instructions for further appeal, within 30 business days of the complaint being acknowledged.	
If the Step I reviewer needs additional time to respond to the complaint, the UCOP Local Employee and Labor Relations Manager may grant one extension to the Step I reviewer	

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for another 30 business days. The complainant will be notified in writing of any extensions provided to the Step I reviewer.

STEP II	
PSS: FACTFINDING or ADMINISTRATIVE REVIEW	MSP: ADMINISTRATIVE REVIEW
If the complainant believes that any of the claims alleged in the complaint were not satisfactorily resolved at Step I, the complainant may file a written appeal within 15 business days following the Step I response. Step II written appeals must be submitted in writing directly to the UCOP Local Employee and Labor Relations Manager. In addition, a copy must be sent via email to ppsm70complaint@ucop.edu .	
At the time of the appeal, the complainant must select: (1) administrative review; (2) factfinding; (3) proceed directly to Step III (career employees only). A career PSS employee may only proceed directly to Step III upon agreement by the UCOP Local Employee and Labor Relations Manager or designee and if their complaint alleges a policy violation eligible for review at Step III.	At the time of the appeal, the complainant must select either Step II administrative review or, if they are a career employee, to move directly to Step III (factfinding). A career MSP employee may only proceed directly to Step III upon agreement by the UCOP Local Employee and Labor Relations Manager and if their complaint alleges a policy violation eligible for review at Step III.
The UCOP Local Employee and Labor Relations Manager or their designee will appoint a factfinder to conduct an investigation to gather relevant information and prepare a report of the facts relevant to the complaint. The complainant will have an opportunity to meet with the factfinder and provide any evidence relevant to the complainant's claim. The factfinder may also interview other witnesses as necessary to make relevant findings of fact. It is expected that the factfinding process will be completed within an estimated 90 business days. This time period may be extended without advance notice upon consideration of feasibility for completion. The factfinder's report must include the following:	A Step II administrative reviewer will be selected by the UCOP Local Employee and Labor Relations Manager or their designee to review the complaint. The Step II administrative reviewer must convene a Step II meeting with the complainant within 30 business days of the appeal to Step II. This time period may be extended without advance notice upon consideration of feasibility for completion. The administrative reviewer will preside over the meeting and provide the complainant with a fair opportunity to present evidence in support of their complaint. The Step II administrative reviewer may also interview other individuals they determine would be helpful to obtain sufficient facts to render a fair decision.

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<ul style="list-style-type: none">• a clear statement of the issue(s) under review;• the alleged violations of policy, if any;• the positions of the parties;• a summary of the information received during the investigation;• findings of fact; and• a conclusion, including policy violations, if any. <p>The written factfinding report will not recommend any specific actions or remedies.</p> <p>The written report, including the original complaint and all relevant documents, will be submitted to the UCOP Local Employee and Labor Relations Manager or their designee. The UCOP Local Employee and Labor Relations Manager or designee will transmit the factfinder's report and all relevant documentation to the UCOP Local Chief Human Resources Officer.</p> <p>The UCOP Local Chief Human Resources Officer will render a decision based on the facts in the factfinder's report and will issue a written response to the complaint within 30 business days after receipt of the factfinder's report. This time period may be extended without advance notice upon consideration of feasibility for completion.</p> <p>If the employee elects to request a fact-finding review at Step II, the Step II decision is final and binding; the employee is not eligible to appeal the Step II decision to Step III.</p>	<p>The Step II administrative reviewer will issue a written response to the complainant and the UCOP Local Employee and Labor Relations Manager complaint within 30 business days after the conclusion of the Step II meeting. This time period may be extended without advance notice upon consideration of feasibility for completion.</p> <p><i>The Step II decision is final and binding</i> unless the complaint is eligible for review at Step III.</p>
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STEP III	
PSS CAREER EMPLOYEES: HEARING	MSP MANAGER 3 AND BELOW CAREER EMPLOYEES: FACTFINDING
<p>If a PSS career employee did not select factfinding at Step II and their complaint alleges a policy violation eligible for review at Step III, they may submit unresolved claims for a final and binding decision by a hearing officer.</p> <p>An appeal to Step III must be submitted in writing to the UCOP Local HR Chief Human Resources Officer within 10 business days of the issuance of the Step II final and binding decision, unless the complaint is eligible for review at Step III.</p>	<p>If an MSP Manager 3 and Below career employee alleges a policy violation eligible for review at Step III and their claims have not been resolved at Step I or II, they may submit unresolved claims for factfinding.</p> <p>An appeal to Step III must be submitted in writing within 10 business days of the issuance of the Step II written decision to the UCOP Local HR Chief Human Resources Officer.</p>
<p>The complainant may choose to use either a University or a non-University hearing officer.</p> <p>If the complainant chooses the option of a University hearing officer, the CHRO will appoint one and notify the parties of the appointment. Election of a University hearing officer selected by the CHRO is final.</p> <p>If the complainant chooses to use a non-University hearing offer, the hearing officer's fee will be shared equally by the complainant. he CHRO is to appoint a Non-University hearing officer from a list of five names obtained from the American Arbitration Association using the selection procedures of the Association. The hearing will be recorded by the University if no stenographic record is agreed to by the parties in advance. The recordings are for the use of the hearing officer and will remain the property of the University. Expenses for stenographic services will be borne by the party requesting such services.</p> <p>Unless both parties otherwise agree, the hearing will be closed to everyone other than</p>	<p>The CHRO or designee will appoint a factfinder to conduct an investigation to gather relevant information and prepare a report of the facts relevant to the complaint.</p> <p>The appointed factfinder will be from outside the department and/or the reporting line in which the complaint arises. The CHRO may appoint a University factfinder who is not a University employee.</p> <p>The factfinder will conduct an investigation to determine the pertinent facts, which may include meeting with each party to the complaint, individually and/or jointly, to present evidence, relevant documents and to examine and cross-examine witnesses under oath or affirmation.</p> <p>Each party will, upon request, provide the other with copies of materials to be introduced at the evidentiary factfinding hearing as well as the names of witnesses who will testify on the party's behalf. To the extent possible, such materials and names of witnesses will be exchanged no less than seven calendar days prior to the</p>

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<p>the hearing officer, the complainant, the complainant's representative, the department head/designee and/or supervisor, the department's representative, a UCOP Local HR representative, and the person designated to record the hearing. Witnesses will be excluded from the hearing except when testifying.</p> <p>Except by written agreement of the parties, only issues that were accepted for review in the formal complaint may be introduced at the hearing. The parties will attempt to stipulate in writing the statement of the issues to be submitted for review at the hearing no less than seven calendar days before the hearing.</p> <p>The hearing officer is limited to restoring any University pay, University benefits, and/or rights provided under University Policy that were lost because of the policy violation described in the complaint, less compensation from any sources that mitigate the loss. A hearing officer may not award interest or attorney's fees. The hearing officer may not add to, delete from, or otherwise modify the provisions of Staff Policies. The hearing officer does not have the authority to issue subpoenas or order a stenographic record.</p> <p>The hearing officer will provide a written decision to the complainant and the CHRO of UCOP Local HR within 30 business days of the close of the hearing. The complainant and CHRO may request a copy of the materials in which the decision was based. This time period may be extended without advance notice upon consideration of feasibility for completion.</p> <p><i>The Step III written decision is final and binding.</i></p>	<p>factfinding hearing.</p> <p>The CHRO or designee will coordinate the time and place of the factfinding hearing to be held in-person or via Zoom as agreed upon by both parties. After a factfinding hearing has been scheduled, postponements will only be granted for good cause. (i.e., unforeseen/unanticipated circumstances).</p> <p>Observers will not be permitted except upon the mutual agreement of the parties to the proceeding.</p> <p>Although there is no time limit provided for the factfinding process, it is expected that it will be completed within 60 business days. This time period may be extended without advance notice upon consideration of feasibility for completion.</p> <p>The factfinder's report must include the following:</p> <ul style="list-style-type: none">• a clear statement of the issue(s) under review;• the positions of the parties;• a summary of the information received during the investigation;• findings of fact; and• a conclusion, including policy violations, if any. <p>The written factfinding report will not recommend any specific actions or remedies.</p> <p>The written report, including the original complaint and all relevant documents, will be submitted to the CHRO or designee. The CHRO or designee will transmit the factfinder's report and all relevant documentation to the Vice President of Systemwide Human Resources or designee.</p>
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	<p>The Vice President of Systemwide Human Resources or designee will issue either a final and binding written decision or remand the matter back to the factfinder for additional information and/or clarification of the report within 60 business days of receipt of the factfinder's report. This time period may be extended without advance notice upon consideration of feasibility for completion.</p> <p>If the matter is remanded, the factfinder will submit the second report within 60 business days. The Vice President of Systemwide Human Resources or designee will issue a final and binding written decision within 30 business days of receipt of the factfinder's second report. This time period may be extended without advance notice upon consideration of feasibility for completion.</p> <p>The CHRO will forward the final decision and the factfinder's report to the complainant and the complainant's representative if applicable.</p>
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III. COMPLIANCE/RESPONSIBILITIES

A. Implementation of the Procedure

The [Chief Human Resources Officer \(CHRO\) of UCOP Local Human Resources \(HR\)](#) is the Responsible Officer for this procedure and has the authority, in consultation with the appropriate UCOP leadership, to implement the procedure. The Responsible Officer may develop other supplementary information to support the implementation of this procedure.

These procedures apply to all units under the jurisdiction of UCOP, including UCPATH.

B. Revisions to the Procedure

UC local procedures supplement [systemwide Presidential policies](#). When a systemwide policy is updated, the corresponding local procedure will be updated accordingly.

The CHRO of UCOP Local HR has the authority to initiate revisions to the procedure and ensure that procedures are regularly reviewed and updated, consistent with other UC policies, procedures, and applicable law.

C. Approval of Actions

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All actions applicable to employees covered by this procedure that exceed this procedure (i.e. exceptions) must be approved by the CHRO of Local HR, consistent with the requirements of the applicable systemwide policy. Requests for exceptions to the applicable systemwide policy must be made to the officer described in that policy.

D. Compliance with the Procedure and Applicable Systemwide Policy

If there is a conflict between a local procedure and a systemwide policy, the content of the systemwide policy governs. Individual departments may maintain documented processes applicable to their internal operations or activities, but those processes may not conflict with this procedure or the applicable systemwide policy.

The CHRO of UCOP Local HR is responsible for compliance with the administration of this procedure.

IV. RELATED INFORMATION

- [PPSM-70](#): Complaint Resolution (referenced in Section I)
- [UCOP Office of the Ombuds](#) (referenced in Section II.B)
- PPSM [62](#), [63](#), and [64](#) (referenced in Section III.E)
- [Reporting Compliance Concerns at UCOP](#)

V. REVISION HISTORY

May 5, 2025: Revisions made to:

- Streamline and clarify the information provided
- Eliminate redundancy
- Reorganize content
- Update web links and office titles
- Ensure compliance with Web Content Accessibility Guidelines (WCAG) 2.0

September 1, 2017: Initial issuance of procedure