

Issues: Compliance – Grievance Procedure (5-Day Ruling and Second Step Meeting);
Ruling Date: January 21, 2014; Ruling No. 2014-3792; Agency: Norfolk State
University; Outcome: Agency in Compliance.



COMMONWEALTH of VIRGINIA
Department of Human Resource Management
Office of Employment Dispute Resolution

COMPLIANCE RULING

In the matter of Norfolk State University
EDR Ruling Number 2014-3792
January 21, 2014

The grievant has requested a compliance ruling from the Office of Employment Dispute Resolution (“EDR”) at the Department of Human Resource Management regarding the alleged failure of Norfolk State University (the “University”) to comply with the time limits set forth in the grievance procedure for scheduling the second step meeting.

The parties in this case originally scheduled the second step meeting for December 6, 2013, but the grievant requested that it be rescheduled to a later date. After apparently receiving no further response from the agency regarding the scheduling of the second step meeting, the grievant requested a compliance ruling from EDR on January 10, 2014. While this ruling was pending, the agency notified EDR that the parties have scheduled the second step meeting. This issue is, therefore, moot and EDR will take no further action at this time.¹

EDR’s rulings on matters of compliance are final and nonappealable.²

A handwritten signature in black ink, appearing to read "Chris M. Grab", written over a horizontal line.

Christopher M. Grab
Director
Office of Employment Dispute Resolution

¹ In addition, we note that the grievance procedure requires both parties to address procedural noncompliance through a specific process. *Grievance Procedure Manual* § 6.3. Typically, the party claiming noncompliance must notify the other party in writing and allow five workdays for the opposing party to correct any noncompliance. *See id.* Although the compliance issue raised by the grievant here is moot, it appears that her request for a compliance ruling was also premature because there is no indication that she first notified the agency head in writing of the alleged violation before seeking a ruling from EDR.

² Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).