

EMPLOYEE GRIEVANCE PROCEDURE

Related Board of Trustees Policy: BP2.13

Approval: May 2012

Revision:

The College recognizes that not all grievances will be settled satisfactorily between an employee and his/her supervisor and has established the following procedures to assist in the formal resolution of grievances.

The grievance procedure is open to all College employees, except in the case of non-reappointment.

Step 1- Appeal to the Supervisor

- Within ten (10) days following his/her knowledge of a decision, action or event giving rise to a grievance, including receipt of a notice of disciplinary action, an employee must present the grievance to his/her supervisor.
- The grievance must include the matter, issue or dispute, the reason for seeking the grievance, the remedy sought and any supporting documents.
- The supervisor is responsible for making a careful inquiry into the facts and circumstances of the grievance presented by the employee.
- Every effort should be made to resolve the matter promptly and fairly within ten (10) days of receipt.
 - The length of response time will depend in large part upon the nature and extent of the employee's grievance and the supervisor's inquiry.
- The supervisor shall prepare a written response to the employee regarding efforts made to resolve the grievance.

Step 2- Appeal to the Unit Vice President

- An employee who is dissatisfied with the decision of his/her supervisor may submit, within five (5) days after the decision of the supervisor is made known to the employee, the grievance in writing to the unit vice president.
- The grievance must include the date of the incident, a brief description of the grievance, the relief that the employee is seeking and a copy of the supervisor's response to the grievance.
- If the employee fails to respond within five (5) days or fails to follow the proper procedure in filing the grievance, the matter will be considered settled on the decision that was rendered by the supervisor in **Step 1**.
- If the proper protocol has been followed, the unit vice president will make further investigation as deemed appropriate to make an independent determination on the merits of the grievance.
- The unit vice president should contact the Human Resources Director to obtain assistance in coordinating the investigation, if deemed necessary.

- The unit vice president will inform the employee in writing of the findings and decision, generally within ten (10) workdays after receipt of the employee's grievance.
- The length of response time will depend in large part upon the nature and extent of the employee's grievance and the unit vice president's investigation.
- In some instances, where the employee is alleging sexual or other unlawful harassment by the immediate supervisor, the employee may believe that he/she cannot take the initial grievance to his/her immediate supervisor; the employee may therefore skip **Step 1** and go directly to **Step 2**, the unit vice president
- In some instances the employee may have a grievance with his/her unit vice president and may skip **Step 2** and go directly to **Step 3**, the President.

Step 3- Appeal to the President

- At any time within five(5) working days following receipt of the decision of the unit vice president or within five (5) working days after the date of an involuntary termination, the employee may submit a written request for further review of his/her complaint to the President.
- The President will first determine if the employee is entitled to review under this Grievance Procedure beyond **Step 2**.
- If entitled to a review to assure compliance, the President will review the personnel actions of the unit vice president.
 - If the President's review finds no fault in the process and evidence as presented, then the unit vice president's decision will stand.
 - If the President determines that the actions of the unit vice president were arbitrary, capricious or unfounded, the President will reverse the unit vice president's decision.
- The President will provide the employee with written notice of his/her decision as soon as possible, usually within ten (10) working days. The President's decision is final.
- This process should occur within ten (10) working days of the President's receipt of the employee's grievance or from the conclusion of Step 2. The length of response time will depend upon the nature and extent of the employee's grievance and the President's investigation.

Exception

- If extenuating circumstances are documented, the college official at the initial level of this process, at his/her sole discretion, may extend the deadline for requesting a review.

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