

If an employee perceives they have been treated in a manner that conflicts with a written policy or procedure, they can pursue the grievance procedure. An employee should address a grievance stemming from incident related actions within five (5) days of the incident. He/she should address a grievance related to compliance with a written policy or procedure within five (5) days of the date he/she first has knowledge of the violation.

Any employee may present a grievance without fear of retribution. The person filing the grievance is hereafter called the "grievant," and the person against whom the grievance is filed is called the "respondent."

Steps in the Grievance Procedure:

Step One: Initiation of a Grievance

The college encourages employees to resolve grievances informally. An employee may present a written or verbal grievance to his/her supervisor. The grievant, respondent, and the supervisor(s) should attempt to resolve the issue in a manner acceptable to all parties. If the grievance is not resolved within three (3) work days after the grievant has presented the grievance to the respondent, the grievant may request a formal review.

If the employee feels he/she cannot discuss the matter with the immediate supervisor, the employee may consult the Director of Human Resources for assistance or advice. The Director may serve as an intermediary between the grievant and respondent in seeking an informal resolution or advise the grievant on the grievance procedure.

Step Two: Formal Filing of Grievance

Within three (3) work days after the grievant has presented the grievance to the respondent and received an unacceptable response, he/she shall prepare the grievance in written form and present copies to the supervisor, respondent, area vice-president(s), and personnel director. The written grievance should a) identify the policy, procedure, or incident alleged to have been violated, or the incident to be grieved, b) concisely state the facts surrounding the grievance, c) state the desired remedy.

Step Three: Administrative Resolution

The area vice-president(s), the grievant, and the respondent shall meet within five (5) workdays to resolve the grievance. The area vice-president(s) shall submit a written record of the meeting to the Human Resource office within three (3) workdays.

Step Four: Grievance Committee Resolution

If the grievance is not resolved in Step 3, then within three (3) workdays after the meeting with the area vice-president(s), the grievant or respondent may make written request to the Director of Human Resources for a grievance panel hearing. Within three (3) workdays after the request, the grievant, respondent, supervisor(s), area vice-president(s), and president must submit grievance forms to the personnel office.

Step Five: Selection of Grievance Panel

The Director of Human Resources will coordinate the distribution and collection of the forms, establish the grievance panel from the submitted names, notify the panel members, and distribute the documentation to the Panel. The Director shall notify panel members within three (3) workdays; the panel shall convene within nine (9) workdays after submission of the forms.

Step Six: Appeal to the President

If the grievant or respondent is dissatisfied with the decision of the Grievance Panel, he/she may appeal in writing to the President within five (5) workdays of written notification of the Panel decision.

The President shall respond in writing to the panel, the grievant, the respondent, and the area vice-president(s) within five (5) workdays of written notification of the Panel decision.

Step Seven: Appeal to the Board of Trustees

If the grievant or respondent is dissatisfied with the decision of the President, within five (5) work-days after receiving that decision, he/she may submit a written request of the President for the Board of Trustees to review the grievance.

The decision rendered by the Board completes the internal grievance process.

Definitions and Explanations

Work Day--day when the involved employees are available.

Grievant--individual adversely affected by the act.

Respondent--individual responsible for the act.

Grievable issue--any work related action, problem, or condition, which an employee believes to be unfair, inequitable, discriminatory, or harmful to his/her performance in violation of existing policy and procedure.

Limitations

The grievance process ensures compliance with existing policy and procedures. The Grievance Procedure cannot change policy or procedure. The Governance System handles recommendations to adopt new policies or to change established policies.

If multiple grievances should be filed against the same respondent for identical outcomes, the Grievance Committee may elect to hear the grievances as a group grievance.

A Grievance Committee member may not serve on a Grievance Panel if he/she is

- 1) directly supervised by the grievant or respondent
- 2) the direct supervisor of the grievant or respondent

3) immediately related to the grievant or respondent

A person selected to serve on a panel, may excuse him/herself from the panel prior to the hearing.

The grievant and respondent must represent themselves before the grievance panel. Legal representation or spokespersons are not appropriate.

No decision at any step of the grievance procedure may conflict with any applicable state or federal statute. The grievance procedure is an internal tool for resolution of differences, not a legal forum. Those wishing to use legal counsel in search of redress should do so within the judicial system. The employee does not waive any rights under the jurisdiction of outside agencies, including the judicial system, by using the grievance procedure.