EMPLOYEE GRIEVANCE (COMPLAINT)

POLICY

Sherman College upholds the Standards of Professional Conduct for all employees as defined in the Employee Handbook.

What is a Grievance? A grievance is a formal written complaint about the conduct of a student or an employee (which includes College officers, faculty members, staff members or administrators).

Complainant
The individual filing the Grievance is generally referred to as the Complainant. More than one individual can file the Grievance and there can be multiple Complainants for the same Grievance.

Respondent
The individual about whom or against whom the Grievance is filed is generally referred to as the Respondent. The Respondent is the alleged offending individual that is the subject of the Grievance. More than one individual can be the Respondent and there can be multiple respondents for the same Grievance.

Confidentiality
Grievances may be submitted on a confidential basis by the Complainant or may be submitted anonymously using the guidelines below. Please note that while anonymous complaints are permitted, in some circumstances it can limit the College's ability to fully investigate and respond to the Grievance. Grievances will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation, respond to the Grievance, and implement any applicable corrective measures.

Grievance (Complaint) Guidelines
Grievances should be handled at the earliest possible stage. Employees should use the following procedures in initiating a Grievance.

1. Speak with the Respondent directly. Although a Complainant is not required to do so, he or she can directly inform the Respondent that the behavior in question is unwelcome, inappropriate and/or a violation of College policy and request that the conduct be stopped. This is not a requirement and an employee should only take this step if he or she feels comfortable in doing so.

2. Submit a Grievance to the employee's supervisor. If the Complainant prefers not to first discuss the matter with the Respondent or the employee has attempted such a discussion but the issue has not been resolved, the Complainant may initiate a formal Grievance with his or her supervisor.

3. Submit a Grievance to the Human Resources (HR) Department. The Complainant should submit or forward the Grievance to the Human Resources Department if:

    a. The Respondent is a supervisor;
    b. The Complainant does not feel comfortable filing a Grievance with his or her supervisor;
    c. The Complainant is not satisfied with the response from his or her supervisor; or
    d. The Complainant does not receive a response from his or her supervisor within 10 business days of submitting the Grievance.

4. Appeal the Grievance to the Executive Vice President (EVP). The Complainant may appeal the Grievance to the EVP if:

    a. The Complainant can skip all previous steps and file the Grievance with the EVP if the behavior involves someone in Human Resources or an Executive of the College;
    b. The Complainant can appeal the response from Human Resources if the Complainant is not satisfied with the response;
    c. The Complainant can appeal to the EVP if the Complainant does not receive a response from Human Resources within 10 business days of submitting the Grievance.

Grievance Format
The Grievance should be submitted in writing and include as much of the following information as possible:

1. Date of Grievance submission;
2. Name of the Complainant;
3. Name of the Respondent;
4. If known, the program requirement or policy that has allegedly been violated;
5. Dates of relevant incidents that are the subject of the Grievance;
6. A description of the relevant incidents and circumstances surrounding the incidents/issues that are the subject of the Grievance;
7. Any steps that have already been taken by Complainant toward resolving the situation;
8. Any supporting evidence of alleged conduct or policy violation;
9. The names of any witnesses who may have relevant information regarding the Grievance and a brief description of what the witness may know about the Grievance (for example whether the individual witnessed an incident that is the subject of the Grievance);
10. Any recommendations for resolving the situation;
11. Signature of the Complainant; and
12. Contact information (address, e-mail and telephone number) for the Complainant.

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Grievance Investigation
The College will generally allow the Respondent an opportunity to respond to a Grievance. The College will generally give the Respondent up to 5 business days to respond to the Grievance. If the Respondent submits a Response, the College will generally provide the Complainant with up to 5 business days to reply. However, depending on the circumstances, it is not always required to obtain a response or a reply. The deadlines are also subject to change based on the circumstances.

In many cases it will be necessary to interview the Complainant, the Respondent and any witnesses who are identified as having information to support or contradict a Grievance. However, no set investigation protocol is required because every Grievance is different. To the extent a supervisor receives a Grievance, the supervisor is expected to partner with Human Resources in conducting any investigation and in determining what, if any, remedial measures may be appropriate.

Grievance Finding
After the Grievance has been reviewed and investigated, the College will issue a written Grievance Finding outlining the findings of the investigation and any remedial measures that will be taken. If discipline is recommended or issued, the Complainant will not always be provided the details of the discipline but that disciplinary actions are being administered. The Complainant or Respondent may appeal the Grievance Finding to the EVP if the EVP was not already involved in the Grievance. If the EVP was already involved in the Grievance, the Complainant or Respondent can appeal the Grievance Finding to the President of the College. Any appeal must be filed within 5 business days of receiving the Grievance Finding.

Prohibition against Retaliation
The College prohibits any form of retaliation against any employee who, in good faith, files a Grievance. No director, officer, faculty member or employee who in good faith files a Grievance shall suffer harassment, retaliation or adverse employment consequences because of the filing of such Grievance. If any employee believes he or she has been retaliated against for utilizing the Grievance Policy or for participating in an investigation related to a Grievance, the employee should immediately report the alleged retaliatory or adverse action to Human Resources and if unresolved by Human Resources to the EVP.