1. GENERAL

The purpose of this Rule is to establish specific responsibilities and timing for each of the steps outlined in System Regulation 32.01.02. The timelines provided in this Rule are preferred but are not intended to discourage an employee from seeking a resolution to a complaint within a reasonable timeframe. Special circumstances that may prevent a timeline from being met will be considered.

Although it is preferred that problems or complaints are resolved through discussions between the employee and the immediate supervisor, System Regulation 32.01.02 provides an employee the opportunity to file complaints without the fear of reprisal for seeking such resolution.

2. INFORMAL COMPLAINTS

Employees are encouraged to resolve concerns or complaints through discussions with their immediate supervisor.

2.1 Within 15 working days of the incident that is the subject of the informal complaint, the employee should request a meeting with his or her immediate supervisor, or, if the employee does not feel comfortable discussing the matter with the immediate supervisor, then he/she should contact the Director of Human Resources or designee.

2.2 If the employee contacts the Director of Human Resources or designee, then the Director of Human Resources or designee should take a statement from the employee and provide that statement to the immediate supervisor. The Office of Human Resources may provide information and assistance to the employee concerning policies, regulations, rules, and procedures; an explanation of available options; and answers to questions about other steps in the complaint and appeal process. The Human Resources Office shall not, however, serve as an advisor or advocate to either party during the process.

2.3 If the complaint is not resolved through discussions with the immediate supervisor, the employee may request a meeting with the department head
and/or the Director of Human Resources within 10 working days of the discussion. This meeting should be held within 10 working days of receipt of the request.

2.4 The department head may advise the employee of the decision at the time of the meeting, but within 30 working days of the meeting, the department head must provide a written copy of the decision to the employee, the employee's immediate supervisor, and the Director of Human Resources.

3. FORMAL COMPLAINTS

If the complaint is not resolved to the employee's satisfaction during the informal process, or if the employee chooses to bypass the recommended informal complaint procedure, the employee may pursue a formal complaint.

3.1 The formal complaint process shall begin when the employee submits a Formal Complaint Form (available online on the Human Resources webpage) and any other supporting documentation to the Director of Human Resources. Delivery may be made by facsimile, personal delivery, campus mail, or U.S. mail. This form should be received or postmarked within 10 working days of the date the employee received the written decision during the informal complaint process. If the informal complaint process was not utilized, then the complaint form and any supporting documentation should be received or postmarked within 15 days of the incident.

3.2 The Office of Human Resources shall retain the original complaint form and any other supporting documentation, and within 10 working days of receipt of the complaint form, forward copies to the department head, the respondent, and to the appropriate Vice President.

3.3 The appropriate Vice President will review and investigate the complaint. The appropriate Vice President will respond to the employee within 15 working days, acknowledging receipt of the complaint, and outlining the process and a tentative timetable for reaching resolution of the complaint.

3.4 If circumstances warrant, the CEO may arrange for another Vice President to perform the duties as provided in Section 3.3.

3.5 The employee will be sent written notification of the appropriate Vice President’s decision within 30 working days from the date of the acknowledgment. This will be the final decision of the complaint.

3.6 If there is a delay in any of the steps provided above, all parties should be notified in writing of the reason for the delay.
4. MEDIATION

At any point in the informal or formal complaint process before a decision is issued, an employee may request a facilitated discussion or mediation. As long as both parties agree and are participating in mediation, the time requirements are suspended. Mediation and the selection of mediators shall be conducted in accordance with the provisions outlined provided in System Regulation 32.01.02, section 4.

4.1 The Director of Human Resources will designate the appropriate representative(s) for the University. In circumstances where this is not possible or appropriate, the President or his/her designee may designate the appropriate representative.

4.2 Upon receipt of a written request for mediation, the Director of Human Resources shall select a mediator within 30 working days.

4.3 The selected mediator(s) shall respond to all parties within 15 working days acknowledging receipt of the employee's request for mediation. The acknowledgment should outline the process and tentative timelines necessary for resolution of the matter. The initial mediation session should ensue not more than 30 working days after the written acknowledgment has been sent to all parties.

5. RESOLUTION IF MEDIATION AGREEMENT IS NOT REACHED

Issues not resolved during mediation will be forwarded to the Associate Vice President for Administration or designee through the process outlined in Section 5 of System Regulation 32.01.02.

Office of Responsibility:
Office of Human Resources