

---

**SUBJECT: DISCRIMINATION/GRIEVANCE COMPLAINT PROCEDURE (ALL EMPLOYEES)**

---

**1.0 PURPOSE**

- 1.1. The purpose of this discrimination procedure is to provide an administrative process for fair and impartial consideration of complaints of discrimination because of race, color, age, gender, religion, national origin, disability, or veteran status.
- 1.2. The College believes that it is in everyone's best interest to resolve problems and concerns as soon as possible after they arise.
- 1.3. It also believes that continuous improvement is a value worthy of the College's time and resources.
- 1.4. Problem resolution and improvement requires the sincere efforts of all persons working together in an atmosphere of courtesy, respect and cooperation.
- 1.5. All employees have the responsibility to identify problems, offer suggestions for their resolution, make recommendations for improvement and assist with implementation. This includes improvements that would enhance the quality of services offered by the College or the quality of its internal environment. Nothing in this policy will abrogate due process rights.

**2.0 INFORMAL COMPLAINT PROCEDURES**

- 2.1. Informal complaints of discrimination shall be discussed with the Human Resource Office and other appropriate parties involved to resolve the complaint on an informal basis with the immediate supervisor.
- 2.2. The Human Resource Office shall be available to assist both parties in the informal resolution of grievances. If the complaint cannot be resolved, the complainant may present a formal written complaint of discrimination through the Human Resource Office to the appropriate Vice President.

**3.0 FORMAL COMPLAINT PROCEDURES**

- 3.1. A formal complaint of discrimination shall be in writing and shall set forth the circumstances which the complainant believes violates an accepted policy or legal obligation of the College.
- 3.2. The complainant identifies a respondent or respondents and describes the remedy being sought. The Human Resource Office, upon request, may assist the individual in preparing the complaint and shall provide forms for that purpose. An employee has the right to be accompanied by another employee or a person of his or her choice during the formal grievance process.

- 3.3. A formal complaint must be filed within thirty (30) calendar days from the time that the alleged discrimination occurred, or the most recent occurrence if the complaint relates to a series of events.
  - 3.4. A complaint that is filed through the Human Resource Office after thirty (30) calendar days may be rejected unless it is extended by mutual agreement between the Human Resource Office and the aggrieved employee, unless otherwise addressed by State or Federal law. The Human Resource Office's acceptance of such a complaint deems it to have been timely filed for all purposes.
  - 3.5. The complaint need not be verified under oath; however, any false statements deliberately included in a complaint or made during the investigation may be grounds for disciplinary action up to and including termination.
  - 3.6. The Human Resource Office shall immediately notify the department against whom the complaint is registered and may assist the department in its investigation of the complaint.
  - 3.7. Through the Human Resource Office, the department shall make a written report including its findings and recommendations to the appropriate Vice President within five (5) working days from the receiving date of the complaint.
  - 3.8. After the Vice President receives the findings and recommendations from the department, the complainant must be granted a hearing by the Employee Relations Committee if requested. See Policy 13.7.2 *Grievance Procedures* for a definition of the Employee Relations Committee.
- 4.0 EMPLOYEE RELATIONS COMMITTEE
- 4.1. The Employee Relations Committee will, in writing, state the reasons for accepting, rejecting, or modifying the department's recommendations, and shall make the written findings and recommendations known to the President within five (5) working days from the date of the department's recommendations.
  - 4.2. After the President receives and reviews the findings and recommendations from the Employee Relations Committee, the President, at his/her discretion, may accept, reject, modify, or further investigate the Employee Relations Committee's recommendation and shall render a written decision to the complainant within ten (10) working days after receipt of the Employee Relations Committee's recommendation. The President decision is considered final.

- 4.3. Only in cases where employment is terminated may employees appeal the decision by the President to the Board of Trustees within ten (10) working days from receipt of the President's decision. The appeal by the complainant shall state (in writing) the specific reasons for disagreement with the President's decision, accompanied by a copy of the President's decision.
- 4.4. The Board of Trustees shall consider the matter in accordance with its own rules and procedures. The decision of the Board of Trustees shall be final. Such final decision will be appropriately communicated in writing to the complainant.