

## Employee Complaints

Section 1. Purpose of Policy. The purpose of this Policy is to provide employees not covered by a collective bargaining agreement an orderly process for the prompt and equitable resolution of complaints. The Corporation intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

Section 2. Definition of "Complaint". The terms "complaint" and "grievance" shall have the same meaning. A "grievance" under this Policy may include, but shall not be limited to:

1. Grievances concerning an employee's wages, hours, benefits, or conditions of work.
2. Specific allegations of unlawful discrimination in employment on the basis of gender (including allegations of sexual harassment), race, religion, national origin, age, or disability.
3. Specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.
4. Whistleblower complaints.

Section 3. Other Review Processes. Nothing in this Policy shall be interpreted as limiting or prohibiting the employee from using any other established complaint review process which may offer alternative options.

Section 4. Information for Employees. The Director of Human Resources shall be responsible for informing all eligible employees of the Corporation's employee complaint and grievances policy and for responding to any employee questions or inquiries about this Policy. Eligible employees shall be provided with a copy of this policy and instructed in the proper procedures for filing complaints and grievances during new employee orientation.

Section 5. Right to Representation. The parties to a grievance may be represented as follows:

1. Employees: A Corporation employee, or group of employees, bringing a complaint, may be represented in a grievance presentation at any level through an attorney or through any other person or organization. The employee(s) bringing a complaint shall pay all costs related to making the employee's presentation of the complaint.

2. Administrators: The representative of the administration hearing the complaint at any level may be assisted by the Director of Human Resources, the General Counsel, or other member of the administration.

Section 6. Consolidation. All complaints arising out of an event, or related series of events, must be addressed in one complaint. An employee is precluded from bringing separate, or serial, complaints concerning events about which the employee has previously complained. When the Superintendent determines that two, or more, individual complaints are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he/she may consolidate the complaints.

Section 7. Retaliation Prohibited. Neither the Corporation, nor any administrator, shall retaliate against any employee for bringing a complaint under this Policy. Retaliation means instigating, implementing or condoning adverse treatment of a person because he/she:

1. Reports an alleged violation of state or federal laws, rules or regulations or Corporation policy;
2. Provides information related to an alleged violation; or
3. Assists or participates in an investigation of an alleged violation.

Section 8. Complaint Process. An employee having a complaint shall initiate the complaint process with the Director of Human Resources within fourteen calendar days of the time the employee first knew, or should have known, of the event, or series of events, causing the complaint. The Director of Human Resources shall explain to the employee the process of bringing the complaint as follows:

1. Immediate Supervisor: Within seven (7) calendar days of initiating the complaint process with the Director of Human Resources, the employee shall schedule a conference to attempt to resolve the complaint orally with the employee's direct supervisor, or, if the complaint is against a supervisor in the chain of command above the direct supervisor, with this person; except, however:
  - A. If the complaint is a complaint of sexual harassment, the employee may seek resolution either with the Director of Human Resources or the supervisor about whom the employee is complaining; or

- B. If the complaint is of a nature that does not involve a matter under the supervisor's supervision, the Director of Human Resources shall direct the employee to the appropriate supervisor or administrator to bring the complaint.

The supervisor to whom the employee brings the complaint shall summarize both the employee's complaint and the determination in writing and present it to the employee within seven calendar days of the conference unless an exception to this timeline applies.

- 2. Intermediate Review: If the complaint was not resolved orally between the employee and the direct supervisor or other person to whom the employee initially complained:
  - A. Within seven calendar days of receiving the written determination of the complaint, the employee will be required to submit the employee's complaint in writing on the "Employee Complaint" form prescribed by the Corporation to the intermediate supervisor designated by the Director of Human Resources. The Director of Human Resources will designate the intermediate supervisor to hear the complaint based on the nature of the complaint and any other relevant factors.
  - B. Within three calendar days of receiving an "Employee Complaint" form, the designated intermediate reviewer shall schedule a conference with the employee at which conference information may be presented and questions asked in an attempt to resolve the complaint.
  - C. The designated intermediate reviewer shall prepare a determination of the complaint in writing and present it to the employee within seven calendar days of the conference unless an exception to this timeline applies.
- 3. Superintendent: If the complaint was not previously resolved:
  - A. Within seven calendar days of receiving the written determination of the complaint from the intermediate reviewer, the employee may appeal the decision to the Superintendent by presenting a 1) copy of the "Employee Complaint", 2) a copy of the determination by the intermediate reviewer, and 3) any comments about the determination the employee may wish to make.

- B. Within three calendar days of receiving this information, the superintendent shall schedule a conference with the employee at which information may be presented and questions asked in an attempt to resolve the complaint.
  - C. The Superintendent shall prepare a determination of the complaint in writing and present it to the employee within seven calendar days of the conference unless an exception to this timeline applies.
4. The Board: If the outcome with the Superintendent is not to the employee's satisfaction:
- A. The employee may present the complaint to the Board by indicating the employee wishes to speak during the open forum portion of the next regularly scheduled Board meeting. The Board shall listen to the complaint, but is not required to respond or take any action on the matter. No action by the Board upholds the decision of the Superintendent.
  - B. If the Board determines to give the employee a further hearing on the complaint, the hearing will be scheduled for the next regularly scheduled Board meeting. The Superintendent shall notify the employee, in writing, of the date, time and place of the meeting.
  - C. Any decision of the Board under this Policy shall be final and not subject to further review.

Section 9. Exceptions to Established Timelines. If the employee does not meet stated timelines to pursue the complaint at any level of the process, the complaint shall be considered concluded. Any party hearing the employee's complaint shall be entitled to an additional seven calendar days to respond, upon notice to the employee due to the reviewer's absence, inadequate time to complete the investigation, or other compelling reason. Under no circumstances shall the employee's request for relief be deemed granted by the failure of any reviewer to timely schedule a conference or serve a written determination.