



No. 516

**Section:** CLASSIFIED  
EMPLOYEES  
**Title:** COMPLAINT POLICY  
**Adopted:** February 20, 1996  
**Revised:** August 21, 2007

	<b>516. COMPLAINT POLICY</b>	
<p>4. Guidelines</p>	<p>Effective management requires reasonable means of resolving difficulties which may arise among employees. To reduce potential areas of disagreement and to establish and maintain recognized two-way channels of communication between the Joint Operating Committee and staff, this policy is established.</p> <p>The Joint Operating Committee intends to expedite the process for all parties concerned. The policy has as its goal(s) the following:</p> <ul style="list-style-type: none"> <li>• The policy is intended to be used after an attempt has been made to resolve a difficulty on a face-to-face basis between the parties concerned.</li> <li>• The policy is to secure proper and equitable solutions to complaints at the lowest appropriate level and to facilitate an orderly succession of procedures.</li> <li>• There shall be no reprisals of any kind taken against any employee because of participation in a complaint or support thereof.</li> </ul> <p>For purposes of this policy, the terms used herein shall have the following listed definitions:</p> <p><b><u>Complaint</u></b> - A complaint is any unresolved problem concerning application or interpretation of State laws or regulations, the policies, rules or regulations of the Joint Operating Committee and the administrative procedures.</p> <p><b><u>A day</u></b> - A day is any day for which a classified employee is scheduled to work.</p> <p>Complaints should be discussed in private, informal conference between the parties involved. At least one such private meeting should take place between the parties before the complaint is taken to the next higher level of authority. A complainant may be represented or accompanied at the higher levels of authority by anyone of his/her choosing.</p>	

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If the same complaint or substantially the same complaints made by more than one employee against one respondent, only one employee --on behalf of self and the other complainants-- should pursue the complaint through the prescribed procedure. Names of all complainants should appear on all the documents related to the settlement of the complaint.

The time limit provided for in this policy may be extended by mutual agreement of the parties. Any decision not pursued within the limits from one level to the next level shall be considered settled on the basis of the last decision and not subject to further appeal.

**STEP ONE, Immediate Supervisor**

- A. Within fifteen (15) work days after the occurrence of the act or omission giving rise to the complaint and following an informal discussion as outlined above, the complainant must present his/her complaint in writing to the immediate supervisor.

This statement shall be a clear concise statement of the grievance, and the rule, policy or law for which there is an alleged violation; the circumstances on which the complaint is based; the person(s) involved; the decision rendered at the private conference; and the remedy sought. Copies of this statement may be sent to any individual who may have been present.

- B. Within ten (10) work days the immediate supervisor shall communicate his/her decision to the complainant in writing. If the supervisor does not respond within the time limit, the complainant may appeal to the next higher level of authority. Either party to the complaint shall have the right to request a personal conference in order to resolve the complaint. Either party may request the presence of one conferee.

**STEP TWO, Administrative Director**

- A. In the event the employee is not satisfied with the decision in Level One, s/he may appeal the decision in writing to the Administrative Director.
- B. This written statement shall include a copy of the original complaint; the decision rendered by the immediate supervisor; the name of the appellant's conferee, if any; and a clear, concise statement of the reasons for the appeal on the decision.
- C. The Administrative Director shall communicate his/her decision to the grievant within ten (10) work days.
- D. Either party in the appeal may request a personal conference within the above time limits. If the decision has not been rendered within the time limits, the complainant may appeal to the next level.

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**STEP THREE - Joint Operating Committee**

- A. In the event the employee is not satisfied with the decision in Step Two, s/he may appeal the decision in writing to the Joint Operating Committee.
- B. The Joint Operating Committee shall schedule the matter for a hearing at an executive session to be held at the next regularly scheduled Joint Operating Committee meeting. The complainant and/or his/her conferee shall be present at the hearing.
- C. Within twenty (20) work days the Joint Operating Committee will submit its decision in writing together with supporting reasons to the complainant. A copy shall be furnished to the administrator(s) involved.

**STEP FOUR - Arbitration (Bargain Unit Members Only)**

If the action at Step III fails to resolve the grievance, the ESP may move the grievance to binding arbitration as provided in Section 903 of Act 195. If the grievance fails to meet the criteria of Section 903 of Act 195, the decision of the Joint Operating Committee remains final.