

SOUTHWESTERN COMMUNITY COLLEGE	HUMAN RESOURCES/INFORMATION TECHNOLOGY EMPLOYEE GRIEVANCE	Policy 4.03.06
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1. In order to maintain a harmonious and cooperative relationship between the College and its employees, the College provides for the settlement of problems and differences through an orderly grievance procedure. Every employee shall have the right to present his/her problem or grievance free from coercion, restraint, discrimination or reprisal. The Policy provides for prompt and orderly consideration and determination of employee problems or grievances by supervisors and the President.

A grievance is any matter of employee concern or dissatisfaction within the College's control except: (a) employee disciplinary matters pursuant to Policy 4.03.02; (b) the non-renewal of an employment contract pursuant to Policy 4.03.07; (c) sexual or other unlawful harassment pursuant to Policy 4.03.05; (d) reduction in force and/or involuntary leave without pay pursuant to Policy 4.03.08; or (e) any other matter that has a specific grievance process outlined in College policy.

2. Informal Grievance Process

Employees are encouraged to resolve grievances informally when possible. When an informal resolution is not possible, nor satisfactory, an employee may file a formal written grievance. If an employee has a grievance, it should first be discussed with his/her immediate supervisor within five (5) working days from the date of the situation which is grieved. The supervisor may call higher level supervisors into the discussion if the employee agrees or the supervisor may consult with higher level supervisors to seek any needed advice or counsel from his/her administrative superiors before giving an answer. The employee shall receive an answer within five (5) working days or be advised as to the conditions which prevent an answer within five (5) working days and when an answer may be expected. In any event, an answer shall be provided in writing within ten (10) working days. The circumstances should be documented by both the supervisor and the grievant.

3. Formal Grievance Process

If the Informal Grievance Process is not satisfactory to the grievant, he/she may file a written grievance with the Vice President for Financial and Administrative Services within fifteen (15) days of the issue being grieved. The written grievance must contain with specificity the facts supporting the grievance. Depending on the nature of the appeal, the Vice President for Financial and Administrative Services will determine to what extent additional facts will be required. The supervisor and employee shall provide all pertinent information the Vice President for Financial and Administrative Services requests and the Vice President for Financial and Administrative Services will review the facts and hold whatever discussions he/she deems necessary. The Vice President for Financial and Administrative Services shall provide his/her written decision to the proper administrators or superiors and grievant within ten (10) working dates of receipt of the grievance. In the absence of an appeal, the Vice President for Financial and Administrative Services'

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decision will be carried out within a reasonable period of time and the grievance considered resolved.

4. Appeal to the President

If the Formal Grievance Process is not satisfactory to the grievant, the grievant may, within five (5) days receipt of the Vice President's decision, appeal the Vice President's decision to the President. The appeal must be in writing and provided to the President. The grievant shall provide a written summary of the specific facts of the complaint, copies of which shall be provided at the same time to all other parties concerned. Upon receipt of the grievance, the President shall appoint a three (3) member subcommittee from the membership of the President's Council to investigate the issues. At the conclusion of the investigation and not later than fifteen (15) working days after the referral from the President, the chair of the subcommittee shall inform the President, in writing, of the subcommittee's recommendations. The President can accept, reject or modify the subcommittee's recommendation and will make a decision within five (5) working days and the decision will be communicated to all appropriate persons. The President's decision shall be final.

5. Rules

Grievances shall be processed according to the following rules:

- a. If at any stage of the grievance process the grievant does not take the next step within the time allotted, the grievance shall be settled in the manner recommended or decided by the administration at the last step.
- b. All reference to number of days in this procedure shall be determined to mean College working days. In the event a grievance is not filed or processed in the manner and within the time set forth above, it shall be forever barred.
- c. The grievant may withdraw the grievance at any level.

Adopted: April 2005

Revised: October 22, 2013, July 22, 2014, October 28, 2014