



**Policy & Procedure No. 6.015
Nunez Community College**

Title: Grievance for All Employees

Effective Date: 01-23-2020

Last Revision Date:

Cancellation:

Department/Office: Human Resources

Grievance for All Employees

SCOPE

This policy applies to all faculty, staff, administrators and student workers of Nunez Community College.

PURPOSE

A major goal of Nunez Community College is to maintain a satisfied and efficient work force. Nevertheless, misunderstandings or dissatisfaction occur in day-to-day relationships between employees or between employees and their supervisors. The College recognizes the rights of employees to express their views and request resolution of work-related issues.

The College provides employees with an opportunity to be heard without fear of reprisal in accordance with the procedures contained in this document. All parties involved in the grievance process (the grievant, respondent, witnesses, and grievance committee members) are not to be subject to any form of retaliation for being involved in grievance. All participants in the process are expected to exercise discretion and to maintain confidentiality.

Nunez Community College is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from immediate supervisors and the administration.

Nunez Community College strives to ensure fair and honest treatment of all employees. Supervisors, administrators, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.



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POLICY AND PROCEDURES

If employees disagree with established rules of conduct, policies, or practices, they can express their concerns through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with the Office of Human Resources in a reasonable, business-like manner, or for using the problem resolution process.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. ***The employee may discontinue the procedure at any step with a request in writing to cease the process.***

1. The employee presents the problem to his/her immediate supervisor as soon as possible after the incident occurs. If the immediate supervisor is unavailable, or if the employee believes that the supervisor is not the appropriate person to contact, the employee may present the problem to the Director of Human Resources. If the problem is presented to the Director of Human Resources, he/she may refer the issue to another more appropriate administrator (i.e., the supervisor's supervisor) or he/she may work to resolve the issue using this process.
2. The supervisor, Director of Human Resources, or other appropriate administrator discusses the issue with the affected employee and may consult with appropriate management, *when necessary*. The administrator should document all discussions held with the affected employee, administrators, and any others that may impact decisions.
3. The supervisor, Director of Human Resources, or other appropriate administrator responds to the problem with an informal agreement negotiated between the affected employee and any other impacted employee.
4. ***All*** employees, including supervisors, the affected employee, and any other impacted employee are reminded that retaliation of any kind against an individual for initiating or participating in the "Problem Resolution" process is strictly prohibited and may result in disciplinary action, up to and including termination of employment.



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Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and administration develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment and helps to ensure everyone's job security.

Formal Grievance Procedures for Faculty

A grievance is a complaint involving the work situation including, but not limited to, salary, working conditions, a lack of policy, a policy or practice that is improper or unfair, a deviation from or a misrepresentation of or misapplication of a practice or policy, or any otherwise improper application of the rules and regulations of the Civil Service or LCTCS.

The employee is expected to attempt to first solve the problem informally, using the steps in "Problem Resolution" as listed above. However, if the problem is not resolved, then the following steps should be taken.

1. The employee initiates the formal complaint by explaining in writing his/her interpretation of the events, and ***the steps that he/she has already taken to resolve this problem***. A grievance committee will ***not*** be convened if the employee has not first attempted to resolve the issue informally, except under extraordinary circumstances. In addition, the employee must also explain in writing what he/she considers to be the acceptable outcome of the complaint.
2. This informal written complaint should be forwarded to the Program Manager/Department Chair, then Dean. The Dean will verify that an effort to resolve the issue informally has been made. If such an effort has not been made, the employee will be directed to the "Problem Resolution" steps above, except in extraordinary circumstances.
3. The formal complaint will be forwarded to the Vice Chancellor for Academic Affairs, or the Chancellor's designee, who will act as a deputy for the Chancellor of the College. The VCAA will call an ad hoc committee equally comprised of faculty, staff, and administrators to read the complaint. This committee will make a recommendation for action to the Chancellor within 10 working days. In order to determine the proper course of action, the committee may call upon the complainant, the person against whom the complaint is being made, and any witnesses they deem important to the complaint.
4. The Chancellor has the authority to actively accept the recommendations of the



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committee in writing, to present alternative solutions, or to take no action on the recommendations. In the event that the Chancellor takes no action within 30 working days, the recommendations of the committee will stand.

5. If the employee making the complaint is still not satisfied with the action recommended by the committee and/or taken by the Chancellor of the College, he or she may file another grievance with the LCTCS Board of Supervisors and/or Civil Service, using the appropriate grievance procedures. The rules and regulations of the Board of Supervisors and Civil Service are available in the library, on the respective websites, or in the Office of Human Resources.

	Reviewing Council/Entity	Review Date	Effective Date
X	Human Resources	01-13-2020	01-23-2020
X	Academic Affairs	01-13-2020	01-23-2020
X	College Compliance Committee	01-13-2020	01-23-2020
X	Chancellor’s Council	01-23-2020	01-23-2020

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Chancellor’s Signature/Approval

SIGNATURE:

DATE: 01-23-2020

Tina M. Tinney, Ed.D.
Chancellor