

NUMBER: 325

SUBJECT: EMPLOYEE GRIEVANCE – BENEFITS-ELIGIBLE EMPLOYEES

APPROVAL DATE OF LAST REVISION: JANUARY 24, 2011; JUNE 19, 2017; JUNE 22, 2020; AUGUST 24, 2020

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325.1 – POLICY

Bridgerland Technical College (BTECH) embraces the philosophy of fair and equitable treatment of all employees. Grievance procedures have been developed to assist employees in resolving problems. Employees will not be subject to intimidation or other negative treatment for initiating a grievance review.

Employees should attempt to resolve all grievances informally through their immediate supervisors or the next level of supervision. The formal review process should be used only when an employee has not received satisfactory resolution of his or her problem through informal methods. If the complaint/grievance involves the Chief Administrative Officer (President), the complainant should attempt to resolve the issue with any Vice President, Associate Vice President, or Trustee of the College.

The appropriate administrative authority serves as an advisor for procedural questions and will coordinate the grievance process to ensure time limits and procedures are followed according to the policy.

Confidentiality throughout the grievance process is imperative for both the person making allegations and the accused.

Employees will be given reasonable time off with pay during scheduled working hours to participate in the grievance process.

Problems or complaints regarding discrimination should follow Policy 300.305 Discrimination Complaints.

325.2 – PROCEDURES**325.2.1 – GENERAL**

Employees should discuss and attempt to resolve problems or complaints with their immediate department head, supervisor, or the next higher level of supervision. Employees and supervisors are encouraged to confidentially discuss any employment problems or questions pertaining to personnel policy and practice with the appropriate administrative authority. An employee whose complaint remains unresolved may file a grievance as described below. If the complaint/grievance involves the Chief Administrative Officer (CAO or President), the complainant should attempt to resolve the issue with any Vice President or Associate Vice President or Trustee of the College. If the CAO is the subject of the complaint, a Vice President will perform the duties assigned to the CAO/President in the procedures outlined below while the CAO is recused from the process.

325.2.2 – FORMAL PROCEDURES

325.2.2.1 – To initiate the formal grievance procedure, the employee must submit a written explanation of his or her complaints and a description of the completed informal procedure, including supervisory/management responses, to the appropriate administrative authority (any Vice President) within 30 days of the incident or issue.

325.2.2.2 – Within seven (7) working days of receiving the written grievance, the appropriate administrative authority (Vice President), or his or her representative, will coordinate the formation of a Hearing Committee, consisting of three (3) employees appointed by the appropriate administrative authority (the President or any Vice President) and at least one (1) administrative representative appointed by the President. The chair of the Hearing Committee will be designated by the President. The chair will distribute copies of the written grievance to the Hearing Committee and any parties mentioned or involved in the grievance.

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323.2.2.3 – Within a reasonable time period (usually 20 working days) from distributing the grievance, the Hearing Committee will hold a meeting with the employee, the person against whom the complaint is made, and any other witnesses or relevant parties. All parties have the right to be present during any oral statements considered by the committee and have access to any and all relevant information presented. Each side will present its perspective, which may include statements from relevant persons, and submit any information that supports its claim. Each party will also have the right to cross-examine witnesses, to present evidence and call witnesses in his or her own behalf, and to testify. Committee members have the right to ask questions during the meeting. The appropriate administrative authority (Vice President), or his or her designated representative, will act as an impartial coordinator of the meeting to ensure that all procedures are followed appropriately.

325.2.2.4 – Each party to the grievance has the right to attend any hearings or review processes, along with any witnesses who may be pertinent.

Only the parties relevant to the grievance procedure are permitted in the review process. Since this is an internal administrative review, there is no right granted to the respective parties to be represented by an advisor or counsel.

325.2.2.5 – Within a reasonable time frame (usually 14 calendar days) after the meeting, the Hearing Committee will prepare and submit to the President a written summary of the hearing, including any arguments submitted by the parties, and a recommended solution.

325.2.2.6 – Within ten (10) working days of receiving the findings and recommendation, the President will either:

- (a) ratify the Hearing Committee's findings and conclusions;
- (b) return the report to the Hearing Committee for reconsideration or clarification, in which case the Hearing Committee will reconvene and review the case. Within 15 working days, the committee will review the case, resubmit a recommendation to the President, and the President will render a final decision; or
- (c) reject all or parts of the Hearing Committee's findings and conclusions, with stated reasons.

The President's decision will be final and binding. A written copy of this decision will be submitted by the President's Office within ten (10) working days of receiving the Hearing Committee's report to Human Resources, the employee with the grievance, the person against whom the complaint was made, the chair of the Hearing Committee, the immediate supervisors, and any relevant department heads.

325.3 – RESPONSIBILITY

325.3.1 – VICE PRESIDENTS, SUPERVISORS, DEPARTMENT HEADS

Vice Presidents, supervisors, and department heads are responsible for using the procedures outlined in this policy to address informal grievance issues with employees. In situations where formal grievance procedures are necessary, Vice Presidents, supervisors, and department heads are responsible for complying with procedures outlined and cooperating with the Hearing Committee to resolve the issue.

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325.3.2 – HEARING COMMITTEE

The Hearing Committee is responsible for evaluating all formal grievances and for meeting with the employee or other relevant parties to determine how to resolve the issue. The Hearing Committee will provide their findings and recommendations in writing to the President.

325.3.3 – COLLEGE PRESIDENT

The President is responsible for appointing an administrative member to the Hearing Committee and for making a final decision after reviewing the findings and recommendations from the Hearing Committee.

325.3.4 – EMPLOYEES

Employees are responsible for working closely with supervisors and department heads to resolve grievances informally, if possible. If formal grievance procedures are necessary, employees are responsible for following all procedures according to this policy.