

SUN AREA TECHNICAL INSTITUTE

SECTION: PROFESSIONAL EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: May 16, 2002

REVISED:

426. COMPLAINT PROCESS	
1. Purpose	<p>It is the Joint Operating Committee's intent to establish reasonable and effective means of resolving difficulties that may arise among employees, to reduce potential areas of complaints, and to establish and maintain recognized two-way channels of communication between supervisory personnel and professional employees for situations not covered by the terms of a collective bargaining agreement.</p>
2. Authority	<p>The Joint Operating Committee adopts this policy to facilitate proper and equitable solutions to complaints at the lowest appropriate level, and to establish an orderly procedure within which solutions may be pursued.</p> <p>There shall be no reprisals of any kind taken against any employees or their representatives because of support of or participation in a complaint. Under no circumstances will the procedure constitute a reflection on the employment records of the complainant nor shall the complainant or his/her representative conduct reprisals against the Joint Operating Committee or any of its employees.</p>
3. Definition	<p>Complaint - any unresolved problem or interpretation of state laws or regulations; policies or rules of the Joint Operating Committee; and written administrative procedures.</p> <p>A day is any day for which an employee is contracted to work.</p>
4. Guidelines	<p>Complaints should be discussed in a private, informal conferences between the parties involved.</p> <p>At least two (2) private meetings should take place between the parties before the complaint procedure is invoked.</p> <p>A complainant may be represented or accompanied at any higher level of authority by anyone the individual chooses.</p>

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

The time limits provided in this policy may be extended by mutual agreement of the parties. Any decision not appealed within the time 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.

Level One – Immediate Supervisor

Within ten (10) work days after the occurrence giving rise to the complaint, and following an informal discussion as outlined, the complainant must present the complaint in writing to the supervising administrator.

This statement shall be a clear, concise expression of the complaint and the rule, policy or law for which there is an alleged violation, circumstances on which the complaint is based, person(s) involved, decision rendered at the private conference, and the remedy sought.

Copies of this statement may be sent to any individuals who were present.

Within ten (10) days the administrator shall communicate the decision in writing to the employee. If the administrator does not respond within the time limit, the complainant may appeal to the next level.

Either party to the complaint shall have the right to request a personal conference in order to resolve the problem. Either party may request the presence of one (1) conferee.

Level Two – Next Higher Level of Authority

If the employee is not satisfied with the decision at Level One, s/he may appeal the decision in writing to the next highest level of supervision as per the organizational chart within five (5) work days after receiving it.

This written statement shall include a copy of the original complaint, the decision rendered, the name of the appellant's conferee, if any, and a clear, concise statement of the reasons for the appeal on the decision.

The responding administrator shall communicate the decision to the complainant within ten (10) work days.

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.

Level Three – Administrative Director/Designee

Within seven (7) work days after receiving the decision of the administrator at Level Two, the complainant may appeal the decision to the Administrative Director or designee. The appeal shall be in writing and shall be accompanied by a copy of the decisions at Level One and Two.

Within seven (7) work days after delivery of the appeal, the Administrative Director or designee shall investigate the complaint, giving all persons who participated in Level One and Two a reasonable opportunity to be heard.

Within ten (10) work days after delivery of the appeal, the Administrative Director or designee shall submit a decision in writing, together with the supporting reasons, to the complainant and the administrators involved.

Level Four – The Joint Operating Committee

Within seven (7) work days after receiving the decision of the Administrative Director or designee, the complainant may appeal the decision in writing to the Joint Operating Committee.

The Joint Operating Committee shall schedule the matter for a hearing at an executive session to be held at the next regularly scheduled meeting of the Joint Operating Committee. The complainant and the conferee shall be present at the hearing.

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 administrators involved and the Administrative Director.

The decision of the Joint Operating Committee is final.

Miscellaneous Provisions

All documents, communications, and records dealing with processing a complaint shall be filed in a separate file and shall not be kept in the personnel file of any of the participants.

In the event a complaint is filed late in the school year, both parties shall endeavor to expedite procedures to the maximum extent possible so that the process may be completed as soon after the school term as practicable.