

AP 7280 UNREPRESENTED EMPLOYEE COMPLAINTS

References:

No specific references

For purposes of this procedure, “complaint” is defined as a misapplication or interpretation of a Board Policy and/or Administrative Procedure. This procedure does not apply to employee evaluations or disciplinary actions.

This procedure is not applicable when another existing District process exists to address the concern.

The Employee Complaint Process is available to employees not covered by collective bargaining agreements and shall include the following:

- Initial meeting with his/her supervisor to attempt to resolve the issue informally (see informal process),
- If the issue could not be resolved informally with his/her supervisor, the complainant may submit the matter to Human Resources
- If the issue could not be resolved by Human Resources or if the matter involves the Human Resources department, the complainant may submit the matter to the Superintendent/President or his/her designee.
- If the complaint is against the Superintendent/President, the issue could be submitted to the Board of Trustees

Day - Any day that the District Administrative offices are open for business.

Procedure

The time limit provided for in this procedure may be extended by mutual written agreement of the parties. Any decision not appealed 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.

Informal Process

Before filing a formal complaint the complainant will attempt to resolve it by an informal conference with the first supervisory/management team member in the chain of command within thirty (30) days after the employee’s knowledge of the occurrence or through reasonable diligence he/she could have known of the act or omission. Failure by a complainant to appeal the decision within twenty (20) days of the decision will be deemed an acceptance of the decision.

Formal Process

If the complainant is not satisfied with the decision at the informal conference, within ten (10) days the complainant may present to the Human Resource Department in writing the following:

1. The Board Policy or Administrative Procedure allegedly misapplied,
2. The circumstances on which the complaint is based,
3. The person involved, and
4. The remedy sought.

Within ten (10) days the Human Resource Department shall communicate the determination to the employee in writing.

Either party to the complaint shall have the right to request a personal conference in order to resolve the problem.

Employees not satisfied by the determination made by the Human Resources Department may seek a final decision by the Superintendent/President.

Complaints Against the Superintendent/President by a Direct Report:

If the employee is not satisfied with the determination made by the Human Resource Department, the complainant may appeal in writing to the Board of Trustees for final a decision.

Date Approved: March 19, 2013

(Replaces College of Marin Procedure 5.0018 DP.1)