

EMPLOYEE COMPLAINTS

Applicability: Any employee complaints or grievances regarding allegations of sexual harassment shall be brought pursuant to the District's policy on sexual harassment. Any employee complaints or grievances regarding allegations of discrimination on the basis of race, color, national origin, sex, religion, age, or disability shall be brought pursuant to the District's Civil Rights Policy. Unless an alternative procedure is otherwise provided by negotiated agreement or other agreement, all other employee complaints shall be governed by this policy.

Purpose: The purpose of this policy is to resolve employee complaints, at the lowest level possible. Prior to the filing of any written complaint, employees are encouraged to discuss their complaints with their supervisor and to reach a mutual resolution without invoking formal complaint procedures.

Definitions:

1. **Complaint:** Complaint means a complaint by an employee regarding any matter related to the employee's employment with District which does not concern sexual harassment or discrimination on the basis of race, color, national origin, sex, religion, age, or disability or which does not arise out of any purported violation, interpretation, or inappropriate application of a negotiated agreement.
2. **Day:** Day means a work day, except that the calculation of days shall not include Saturdays, Sundays, or holidays even if the employee works on those days.

Procedure:

1. An employee must submit in writing to the employee's supervisor any complaint within ten (10) days of the time that the employee knew or should have known of the act or condition on which the complaint is based. The complaint shall contain specifics as to the date, the location, and the details of the act or condition of which the employee is complaining. The complaint should also contain the identification of any witnesses or any supporting documentation.
2. Upon receipt of a timely complaint from an employee, the employee's supervisor shall review the complaint and discuss the complaint with the employee within ten (10) days. The employee's supervisor may conduct any investigation deemed necessary or appropriate after consultation with the complaining employee.

3. After discussing the complaint with the employee and conducting an investigation, if any, the employee's supervisor shall render a written determination regarding the complaint which shall contain the reasons supporting the determination and which shall be provided to the employee. Such determination shall be rendered no later than thirty (30) days after receipt of the complaint.
4. Within ten (10) days of receipt of the supervisor's determination, if the employee is not satisfied with the supervisor's determination, the employee may submit a written request for review to the appropriate administrator over the employee's department or school site, if applicable. The request for review shall contain a copy of the original complaint and a copy of the supervisor's determination.
5. Upon receipt of a timely request for review, the administrator shall schedule and conduct a meeting with the complaining employee and the supervisor. The employee and the supervisor may present written statements and/or witness testimony to the administrator to support their respective positions.
6. After meeting with the employee and the supervisor, the administrator shall render a written decision regarding the complaint and shall provide a copy of such decision to the employee and the supervisor. The administrator's decision shall set forth the reasons for the decision. Such decision shall be rendered no later than thirty (30) days after receipt of the request for review.
7. Within ten (10) days of receipt of the administrator's determination, if the employee is not satisfied with the administrator's determination, the employee may submit a written request for review to the Superintendent. The request for review shall contain a copy of the original complaint, a copy of the supervisor's determination, and a copy of the administrator's determination.
8. Upon receipt of a timely request for review, the Superintendent may schedule and conduct a meeting with the complaining employee, the supervisor, and the administrator. The employee, the supervisor, and/or the administrator may present written statements and/or witness testimony to the Superintendent to support their respective positions.
9. After conducting whatever investigation is deemed necessary and appropriate, if any, the Superintendent shall render a written decision regarding the complaint and shall provide a copy of such decision to the employee, the supervisor, and the administrator. The Superintendent's decision shall set forth the reasons for the decision. Such decision shall be rendered no later than thirty (30) days after receipt of the request for review.
10. Within ten (10) days of receipt of the Superintendent's decision, if the employee is not satisfied with the Superintendent's decision, the employee may submit a written

appeal to the Board. The appeal shall contain a copy of the original complaint, a copy of the supervisor's determination, a copy of the administrator's decision, and a copy of the Superintendent's decision.

11. Upon receipt of a timely appeal, the Board shall schedule a hearing on the appeal which shall be conducted within thirty (30) days of receipt of the appeal. At such hearing, either the employee or the Superintendent may submit additional documentation and may present an oral statement as to their respective positions which shall be limited to no more than ten (10) minutes.
12. After conducting a hearing on the complaint, the Board shall render a written decision regarding the complaint and shall provide a copy of such decision to the employee and the Superintendent. The Board's decision shall set forth the reasons for its decision and shall be rendered no later than thirty (30) days after the hearing is conducted. The Board's decision shall be final.
13. Any of the time limits established herein may be extended by mutual agreement of the parties involved.

The District shall not take any action in retaliation for an employee bringing a complaint pursuant to this policy. All documents, communications, or records concerning a complaint shall be maintained and shall be filed separately from the personnel file of the complaining employee.