



**NO. 2021      EMPLOYMENT GRIEVANCES**

- 1.0 **POLICY STATEMENT.** It is the policy of Oklahoma City Community College (OCCC) to provide its employees with a fair and efficient process to present and resolve problems or issues negatively impacting the workplace arising out of the employment relationship.
- 2.0 **SCOPE.** This Employee Grievance Policy is available to any employee, from the first day of employment with the College, who wishes to bring forward a work related grievance that is not covered by another avenue of redress. For example, the following matters can be addressed through other OCCC Policies, Procedures and processes and are not subject to this Policy:
  - 2.1 Complaints of Sexual Misconduct involving a student or employee are addressed through OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination.
  - 2.2 Complaints alleging discrimination, harassment or retaliation on the basis of a protected status involving a student or employee are addressed through OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination.
  - 2.3 Grievances related to employee discipline or separation of employment may be addressed directly with the Vice President for Human Resources.
  - 2.4 Grievances related to performance reviews may be addressed directly with the Vice President for Human Resources.
- 3.0 **REPORTING GRIEVANCES.** Grievances are best resolved if addressed in the first 30 days, because if too much time has passed, it may be difficult to substantiate the allegations. However, this policy has no time limit. Further, the sooner a situation can be addressed, the better for all involved. Grievances must be filed with the Vice President for Human Resources. Upon receipt of the grievance, Human Resources will review the matter, implement any appropriate interim actions, and collaborate with appropriate parties and personnel to assess the grievance, review/investigate the facts, initiate a discussion or mediation and/or determine what, if any, appropriate actions are to be taken. The decision of Human Resources will be final.
- 4.0 **REPORTING ALTERNATIVE.** If the grievance is against an employee or an action of the Office of Human Resources, the grievance may be submitted directly to OCCC's Chief of Staff. In that case, the Chief of Staff or his/her designee shall act in lieu of the Human Resources officer in the grievance resolution process. If the grievance is against the Chief of Staff, the General Counsel or his/her designee shall act in lieu of the Chief of Staff. In either alternative instance, the decision will be final.
- 5.0 **FABRICATED ALLEGATIONS.** While it is important that no one be discouraged from filing a grievance, it is also important and is hereby articulated that any individual who knowingly files a false or fabricated grievance will be subject to the discipline pursuant to applicable policy.
- 6.0 **CONFIDENTIALITY.** Participants in the grievance resolution process should respect the matter as confidential. All information revealed and all discussions held shall be as confidential as reasonably possible within legal requirements and organizational responsibilities, and within limits allowing for the review to occur.
- 7.0 **RETALIATION.** No employee shall retaliate or discriminate against another employee because of the employee's filing of or participating in the review of a grievance. Retaliation

includes taking any action which may have a materially adverse impact on the terms or conditions or employment including, but not limited to, increasing discipline, demotion, changes in pay or hours, poor performance appraisals not based in fact, or material changes in job duties or functioning, if such action is taken because of the employee's filing of or participation in the review of a grievance, whether or not such grievance is determined to be valid. Any person believing that retaliation has taken or is taking place should immediately report the matter to the Vice President for Human Resources.

- 8.0 **TIMELINE.** All allegations are acted upon promptly by OCCC once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but OCCC will avoid all undue delays within its control. Any time the general timeframes for resolution outlined in OCCC procedures will be delayed, OCCC will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

Effective: November 1, 2020