



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, equitable, and efficient process to present and resolve problems or issues negatively impacting the workplace arising out of the employment relationship. Each supervisor and employee is encouraged to resolve all workplace problems informally and in an atmosphere of mutual respect. An employee should bring any work-related problem that is subject to the scope of this policy to the attention of his or her immediate supervisor as soon as possible so the problem may be resolved. OCCC expects the supervisor to discuss such concerns with the employee in an effort to resolve the problem in a timely manner. Should the employee not be satisfied with the outcome, the Employment Grievances Policy provides a means for an employee to clarify and resolve certain work-related situations.
- 2.0 **SCOPE.** This Employment Grievances Policy is available to any employee from the first day of employment with the College. Grievances concerning the interpretation or application of a work-related rule, regulation, or policy shall be subject to this policy. Supervisors will consult with the Human Resources representative responsible for employee relations for the interpretation of any policy administered by Human Resources. Such grievances will first be considered on an informal basis in order to allow prompt correction, resolution, or explanation on the subject of the grievance. Subject to the above-defined scope, this policy is available for work-related grievances that are 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 Grievances of Sexual Misconduct involving a student or employee are addressed through OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination.
 - 2.2 Grievances alleging discrimination, harassment, or retaliation based on a protected status involving a student or employee are addressed through OCCC Policy No. 1012 Equal Opportunity, Harassment, and Nondiscrimination.
 - 2.3 Matters related to employee discipline or separation of employment may be addressed directly with the designated Human Resources representative responsible for employee relations, with a final review completed by the vice president for human resources.
 - 2.4 Matters related to performance reviews may be addressed directly with the Human Resources representative responsible for employee relations, with a final review completed by the vice president for human resources.
- 3.0 **PROCEDURE FOR REPORTING GRIEVANCES.** Grievances should be addressed in the first 30 days, because if too much time has passed, it may be difficult to substantiate the allegations. Furthermore, the sooner a situation can be addressed, the better for all involved.
 - 3.1 At any time, employees may consult with human resources (HR), to best understand the grievance reporting process and required timelines; to receive feedback on how to effectively communicate their grievances to their supervisors or appropriate administrative equivalent; to understand possible resolutions; and to understand what resources may be immediately available to support them through their



concerns.

- 3.2 The employee shall informally present the grievance to his or her supervisor or administrative equivalent for discussion, consideration, or resolution within five (5) working days from the date of the action that is the subject of the grievance. If the supervisor is the subject of the grievance, the employee may address the grievance to the appropriate department head or administrative equivalent. The supervisor or administrative equivalent must communicate back to the reporting employee the outcomes of their complaint and ask for confirmation that the grievance has been satisfactorily resolved. The supervisor or administrative equivalent must retain a record of the nature of the complaint, how it was dealt with, and the outcome.
 - 3.3 If the grievance is not satisfactorily resolved by the supervisor or administrative equivalent within five (5) working days from the date of submittal or conversation, the employee may present the grievance in writing within an additional five (5) working days to the appropriate department head or administrative equivalent for consideration and action. The involved administrator should consult with HR, to provide HR with a copy of the written grievance and to ensure that the administrator has fully considered all applicable policies and possible resolutions for the matters involved. The employee or administrator can request HR intervention during this step of the process. A written decision from the administrator shall be provided to the employee within five (5) working days of receipt of the grievance.
 - 3.4 If the employee is not satisfied with the decision of the department head or administrative equivalent, a written appeal stating why the appealed decision is unacceptable may be made to the appropriate dean, director, or administrative equivalent within ten (10) working days of the date of the appealed decision. Again, HR should be consulted here, to receive a copy of the written appeal and to ensure that the administrator has fully considered all applicable policies and possible resolutions for the matters involved. The employee or administrator can request HR intervention during this step of the process. Within ten (10) working days of the date of the appeal, a written decision from the administrator shall be provided to the employee.
 - 3.5 Grievances not satisfactorily resolved by the dean, director, or administrative equivalent may be appealed in writing to the appropriate Executive Director, Vice President or administrative equivalent for the employee's department within ten (10) working days of the date of the appealed decision. The appeal shall state why the appealed decision is unacceptable. The involved administrator should consult with HR, to provide HR with a copy of the written appeal and to ensure that the administrator has fully considered all applicable policies and possible resolutions for the matters involved. The employee or administrator can request HR intervention during this step of the process. Within a reasonable time, not to exceed thirty (30) days following receipt of the appeal, a written decision shall be mailed to the employee and a copy provided to HR. This decision is final.
 - 3.6 The written grievance and all decisions or responses regarding such grievance shall be forwarded to the Office of Human Resources.
- 4.0 **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.

- 5.0 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.
- 6.0 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 HR representative responsible for employee relations.

Effective: November 1, 2020

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