



WASHINGTON COLLEGE POLICIES

GRIEVANCE RESOLUTION PROCEDURES

Treating employees fairly is a key principle of the employment relationship and a productive workplace. When people work together, however, it is not unusual for conflicts or dissatisfaction to arise. If there is something about your job that is bothering you, we encourage you to take appropriate and respectful actions to resolve concerns. This policy and its processes are designed to assist you. Equally important, the Human Resources staff is available to assist when and where needed and appropriate.

Washington College encourages anyone who has experienced any form of discrimination or harassment to report the incident promptly, to seek all available assistance, and to pursue remedies available through campus judicial or grievance processes. Complainants are also encouraged to report incidents to local, state and/or federal authorities or offices charged with handling unlawful discrimination or harassment.

Problem-Solving Conversations

You are strongly encouraged to discuss any work-related problem with your supervisor or the person most directly involved with the problem you are confronting as soon as possible. Those persons can discuss your concerns with you in an effort to resolve the matter. If you are uncomfortable speaking with that individual, or if discussions do not resolve the issue, please arrange to talk with a member of the Human Resources Department for further assistance. The staff of the Human Resources Department is available to assist you in defining your concern and exploring alternative approaches for resolving your problem. Typically, many problems can be resolved through prompt conversations about the concern. Human Resources staff may recommend additional problem-solving processes including mediation. Situations which involve allegations of workplace discrimination or sexual harassment are not resolvable through a problem solving conversation.

Grievance Process

When work related concerns have not been resolved through Problem-Solving Conversation steps outlined above, and after consultation with Human Resources, the Grievance Process may be used. Only an employee may bring forward a grievance complaint under this process. A grievance complaint is defined as an unresolved issue regarding college policy, practice, or procedure. The definition includes demotion with loss of pay, suspension without pay,

termination of a non-probationary employee for inadequate work performance, disciplinary action, an allegation of work assignments, or conditions of work which the employee claims violate a statute or college policy, or any act based on discrimination or sexual harassment.

Step 1: Submit the grievance Complaint

The charging employee must submit a written statement of the grievance complaint to the Director of Human Resources or designee. Forms may be downloaded at the Washington College Title IX webpage ([Filing a Complaint](#)). The written statement must identify the written policy or procedure alleged to have been violated, the date of the event(s) on which the grievance complaint is based, and the relevant information, including the information which supports the employee's position. Finally, the employee statement must propose a resolution to the problem. Human Resources staff is available to assist employees in the preparation of a written grievance.

The Director of Human Resources (or designee) may investigate the grievance complaint and propose a resolution of the grievance to both the employee and the department.

Investigation

An investigation into the complaints of sexual harassment or sexual assault shall be conducted by the Title IX Coordinator or designee. Additional information on sexual harassment investigation process can be found at the Washington College Title IX website ([policy on sexual harassment](#)). Complaints of discrimination due to disability will be investigated by the 504 Coordinator or designee. For reports involving College employees and/or third parties, the Title IX Coordinator and Director of Human Resources shall jointly conduct the investigation. The investigation will be conducted in a manner that is adequate, reliable and impartial. The investigation shall be concluded as quickly as possible, typically within seven calendar days or within a reasonable amount of time required to complete the investigation. The investigation will be conducted in a manner so that it is adequate, reliable and impartial. The investigation may include any of the following: interviews of the parties involved, including witnesses, and the gathering of other relevant information. Parties to the complaint may present witnesses and other evidence. At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties involved or witnesses be provided by appropriate College officials. These protections or remedies may include separating the parties, placing limitation on contact between the parties, suspension, or making the alternative workplace. Failure to comply with the terms of interim protections may be considered a separate violation of College policies and procedures. Ongoing contact will be maintained with the victim throughout the investigation.

In addition, the Director of Human Resources may determine that the matter raised in the grievance complaint does not fit the definition of a grievance complaint or that appropriate

problem solving actions have not been taken prior to filing a grievance complaint, as defined above, the charging employee will be notified of such and the grievance process will be concluded. A charging employee may appeal a decision of the Director of Human Resources to the Chief of Staff.

The supervisor, after consulting with his or her department head and Human Resources staff will submit a written answer to the employee, normally within fifteen (15) working days after the receipt of the grievance complaint, and at the same time submit a copy to the Director of Human Resources. If the suggested resolution is not satisfactory to the charging employee, she/he will inform Human Resources staff to proceed to Step 2.

Step 2: Request for Review

Within five (5) working days after receipt of the Step 1 response, the charging employee must submit a written statement to the Director of Human Resources explaining the reasons why he or she is appealing the Step 1 response. The Director of Human Resources will then appoint a grievance committee, comprised of DDRC members, which is approved by the person whose action is being grieved, the Vice President and the charging employee. The Grievance Committee will consist of the Director of Human Resources (as its non-voting chair) or designee, and the three members of the college faculty and staff, as named by the Director of Human Resources for the purpose of conducting a hearing. Members of the Grievance Committee will be selected from members of the Discrimination and Dispute Review Committee which is appointed by the President in consultation with Staff Council and Administrative Council. The DDRC will consist of faculty and staff, trained to review matters involving discrimination and harassment. A hearing panel will consist of three members of the DDRC and is facilitated by the Director of Human Resources (or designee) for complaints against staff members or Provost (or designee) for complaints against faculty. Hearings where there is a staff Respondent will include only staff on the hearing panel. Hearings where there is a faculty Respondent will include only faculty on the hearing panel. Within 15 days after the hearing, the panel will issue a written decision that includes a review of the information relevant to the case and sanctions assigned if it is found to be “more likely than not” that the subject of the Complaint violated College policy. The DDRC will continue to function whenever the College is open even if classes are not in session. No member of the grievance committee will be in the organizational chart of the Vice President involved.

The charging employee may present a statement and also present witnesses and materials in support of his/her position. The Grievance Committee Chair reserves the right to limit the number of witnesses called. Any employee who speaks, whether on his/her own behalf or for a co-worker, will not be subject to retaliatory action. Likewise the person most directly involved in this action being grieved and the appropriate member of Senior Staff may present a statement and documentation to the Grievance Committee. The Grievance Committee will meet to review

the grievance in its original form and all subsequent responses, and will forward a statement of its conclusions and recommendations to the President.

The President will review the proceedings and may accept, reject, or modify the conclusions and recommendations of the Grievance Committee. The President will forward a written answer to the complainant, the person most directly involved in this action being grieved, the appropriate Vice President and the Director of Human Resources. The decision of the President is final.

3. Time Limits

The time limits included in this procedure are designed to support a speedy resolution while providing sufficient time to prepare and present information. Scheduling constraints may impact the time limits and as a result the college, at its discretion, may modify the time limits.

If the college does not extend time limits and an employee does not observe the time limits in any particular step, the grievance will be considered to be ended, and the resolution will be final.

4. Disclaimer

This policy shall not be construed as a contract of employment, and it is subject to change by the college in its discretion without prior notice to employees, as the college deems appropriate.

5. Confidentiality

All parties involved, especially those charged with carrying out the above policies, are expected to maintain confidentiality to the greatest extent practicable. Records pertaining to formal complaints of sexual harassment will be maintained in the Office of Human Resources for three years after the resolution of the complaint, at which time the records will be destroyed. Records regarding any sanctions imposed will be maintained in accordance with normal personnel records policies, as applicable.

6. Appeal to External Agencies

Employees filing complaints of discrimination or sexual harassment may contact The US Office of Civil Right.

Employees filing complaints of work related problems may contact the Maryland Human Rights Commission.

More information can be found at the Washington College [Title IX website](#).