

Staff Complaints

Realizing that there should be some organized procedure to facilitate the resolution of complaints for all employees who contend they have been subject to a violation, misinterpretation or inappropriate application of district policies and/or administrative regulations, the Board hereby establishes a policy to outline the approved steps. It is expected that a large majority of complaints will be settled by a conference of the employee and his/her immediate supervisor. However, it is recognized that a structural procedure for handling problems is sometimes necessary.

The complaint procedure will not be used to resolve disputes and disagreements related to the provisions of any collective bargaining agreement, nor will it be used in any instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning an employee's dismissal, contract non-renewal or contract non-extension will not be processed under this procedure.

The purpose of this procedure is to promote good human relations on the job and to provide a procedure for settling differences on a local basis. However, nothing in the complaint procedure can preclude the right of either party to have access to the judicial process.

General Provisions

1. Any step in the procedure may resolve the problem. If the complainant fails to appeal a complaint to the next level within the specified time limits, he/she shall be deemed to have accepted the decision at that level.
2. Complaints will be heard at times agreeable to the parties concerned.
3. The time limits specified may be modified by mutual agreement of the employee and the supervisor.
4. Complaints carried beyond the immediate supervisor shall be presented in writing and written records shall be kept on all proceedings beyond that point.

Steps of Procedure

First Step Employee presents his/her complaint either orally or in writing to his/her immediate supervisor, **or makes a report to any member of the Collective Risk Management Team, or makes a report via the Employee Protection Line which activates the CRM Team.** A decision **or response** to the complainant is given within two working days after the interview **or report**. If the matter is settled or explained to the employee's satisfaction it ends here.

- * In all cases not involving district office staff, the immediate supervisor shall be the building principal.

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Second Step If the employee wishes to proceed beyond step one, he/she must, within five days, file an appeal in writing to the superintendent's office. The written appeal must be presented through the immediate supervisor in order that it may include the supervisor's disposition of the case. The superintendent shall arrange for a conference with the employee and supervisor within two days of the receipt of the appeal. The superintendent shall attempt to resolve the differences to the mutual satisfaction of both parties. A reply to the appeal shall be made within three working days of the conference.

Third Step ~~If the employee still is not satisfied, he/she may, within five days of the date of the decision present his/her problem to a complaint committee for review. The complaint committee members shall be made up of three members selected from the employee group.~~

~~The complaint committee will:~~

- ~~1. Define the nature of the complaint as clearly and as fully as possible;~~
- ~~2. Gather all facts that serve to explain when, how, where, to whom and why the complaint occurred;~~
- ~~3. Establish tentative solutions and meet with the superintendent.~~

~~At this point, within five days of the receipt of the request for review, the complaint committee will present its recommendation to the superintendent, with a copy furnished to the employee.~~

If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within ten (10) working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant or other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within ten (10) working days.

Fourth Step If the decision recommended by the superintendent after review of the complaint committee report, does not solve the problem, the employee has the right of appeal to the Board. The appeal must be made in writing to the Board, through the superintendent's office, at least discussed informally in an executive session of the Board with the employee and the superintendent, unless an open meeting is requested, as provided by law. The decision of the Board shall be final.

The above procedure will be used in all matters not expressly covered in the collective bargaining agreement between the local employee associations and the district. In matters covered by the collective bargaining agreement, the grievance procedure contained in the agreement shall apply.

END OF POLICY

Legal Reference(s):

[OAR 581-022-1720](#)

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Anderson v. Central Point School District No. 6, 554 F. Supp. 600 (D. Oregon 1982); aff'd in part, 746 F. 2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).