

MISSOURI SOUTHERN STATE UNIVERSITY POLICY					
Policy #:		Effective:	July 2012	Category:	All University Employee Policies
Name:	COMPLAINT RESOLUTION PROCEDURE POLICY				

1.0 PURPOSE

The purpose of the policy is to provide guidance to University employees regarding the policy below in order to comply with the standards set forth by the University. This policy is necessary in order to maintain an effective and compliant workforce that meets the University mission.

2.0 SCOPE

University Employee Policy

3.0 POLICY

This policy provides an employee with an opportunity to present a complaint about a work-related situation through a formal complaint procedure, after informal discussions have not successfully resolved the matter. Fair and prompt consideration will be given to all employee complaints. The University will not tolerate any form of retaliation against employees for using the procedure outlined in this policy.

A complaint is defined as an allegation by an employee that there has been a violation, misinterpretation or arbitrary or discriminatory application of a University policy or procedure or state law. Examples of actions which may be causes of complaints include, but are not limited to: alleged discrimination because of race, color, gender, age, religion, disability, or any other non-work-related factor; treatment considered unfair by an employee, such as harassment or intimidation; and disciplinary actions, excluding dismissals, perceived as unjustified by an employee. (See the Disciplinary Guidelines section in this Handbook.) This policy is not applicable to faculty-related issues, which fall under the purview of the “Faculty Handbook Grievance Procedure”, nor does it apply to complaints regarding dismissals, policy changes, or performance appraisals.

Employees who believe they have a legitimate complaint may undertake the formal procedure outlined below to resolve the matter, provided informal discussions have not resulted in an acceptable resolution of an employee’s concerns. A complaint not advanced to the higher step by the employee within the time limit provided shall be considered as having been settled on the basis of the decision most recently given. Failure on the part of the University’s representative to answer within the time limit set forth in any step will entitle the employee to proceed to the next step, unless the time limit was extended by written mutual agreement of the parties involved in that step. Such extensions of the time limits may be justified by the complexity of the case or by the availability of individuals involved.

While an employee cannot be retaliated against for using this complaint procedure, the University is not prevented, limited, or delayed from taking other disciplinary action against the employee, up to and including dismissal, if circumstances deem such action appropriate.

STEP 1: Discussion with Immediate Supervisor

Discussing the complaint with the employee’s immediate supervisor is encouraged as a first step in the complaint resolution process, with the objective of resolving the matter informally. The majority of disputes, complaints, or misunderstandings can be resolved at this level. Employees should bring their complaints to the attention of their supervisor in a timely manner to resolve them as quickly as possible.

Generally, for a complaint to be timely, it must be presented within ten (10) workdays of occurrence. There may be situations which employees feel cannot be discussed with their immediate supervisor. In these instances, employees are encouraged to initiate the discussion of the matter with the next supervisory level. Human Resources is also available to assist or advise employees regarding complaint procedures.

STEP 2: Written Complaint to Immediate Supervisor

If the complaint is not resolved to the satisfaction of the employee within a reasonable time period, generally ten (10) working days, after discussing it with the employee's immediate supervisor, then the employee may formalize the complaint by submitting it in writing to his/her immediate supervisor. The written complaint must contain a complete statement of the complaint and the facts upon which it is based, the policy which is alleged to have been violated, the remedy or correction(s) requested, and be signed and dated by the employee. Once the complaint is reduced to writing, it may not be expanded later to include issues not stated in the original filing. After considering all the facts, the immediate supervisor shall communicate his or her decision in writing to the employee within ten (10) working days from the date that the written complaint was received.

STEP 3: Written Appeal to the Supervisor of the Employee's Immediate Supervisor

If the complaint is not resolved in the second step, the employee, within ten (10) working days, may forward the written complaint and written response to the supervisor of the employee's immediate supervisor for review. In an effort to resolve the problem, the supervisor of the employee's immediate supervisor will consider the facts. He or she also may conduct an investigation, may give the employee the opportunity to present the case orally, and may review the matter with the Director of Human Resources. This supervisor may affirm, reverse or modify the immediate supervisor's decision, and will notify the employee of his or her decision in writing within ten (10) working days after receiving the written appeal. If the complaint is still not resolved to the satisfaction of the employee, it should be submitted in writing to the next higher level of management in this same manner until it reaches the Vice President over the employee's department. Once the complaint reaches the Vice President, the employee should progress to Step 4.

STEP 4: Written Appeal to Vice President or Peer Review Committee; Recommendations to President

If an employee is not satisfied with the decision(s) in Step 3, within ten (10) working days he or she may make a written request to the Director of Human Resources for a hearing before the Vice President over his or her department or for a peer review committee. The written appeal must be signed and dated by the employee, and include all of the information included in the initial complaint and subsequent appeals, all the decisions related thereto, and any other pertinent information the employee may wish to submit. However, it may not include issues not stated in the original filing. If a peer review committee is requested, it shall consist of one peer employee appointed by the complainant, one appointed by the Vice President, and a third appointed by these two appointees. If the complainant is a classified staff employee, a "peer employee" is another classified staff employee. If the complainant is a professional staff employee, a "peer employee" is another professional staff employee. Depending on the option chosen, either the Vice President or the peer review committee will ascertain the facts and forward their written recommendations to the President within ten (10) working days after receiving the appeal. The President will review the matter and may consult with any of the parties involved. The President may affirm, reverse, or modify the previous decision and, within a reasonable time frame, will notify the employee of his or her decision in writing. The decision of the President is final and binding on the parties, without further right to appeal.

4.0 HISTORY

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

5.0 RELATED DOCUMENTS