

Georgia Cyber Academy Governing Board Employee Complaint Policy

Adopted On: 3/17/21 Last Reviewed On: 03/17/2021 Last Updated On: 03/17/2021

Georgia Cyber Academy, Inc.

Complaint Procedures – Employee

SECTION 1. Employee Grievances

- a. There are times when disputes arise between employees or between an employee and the school administration. It is expected that during any dispute, all employees will model the conflict resolution skills that they advance to GCA students. Should it become necessary, this procedure is intended to provide a simple, expeditious, and fair process for resolving employee complaints at the lowest possible level and with a minimum of conflict and formal proceedings.
- b. No employee will be subject to reprisal as a result of filing a complaint under this procedure.

SECTION 2. Scope of Complaint Procedure

Any current employee may file a complaint concerning his or her employment or the implementation of personnel policies. The complaint should be in writing, and every attempt should have been made to settle the issue with individual conversations before bringing a formal grievance.

Exclusions

This procedure may not be used to complain about the following:

- a. Performance ratings contained in the employee's personnel evaluations
- b. The employee's job performance
- c. Termination, non-renewal, demotion, suspension, or reprimand of employee
- d. Revocation, suspension, or denial of certificates to all certified employees
- e. Sexual Harassment. Please refer to the GCA Sexual Harassment policy for the procedures required for a complaint relating to sexual harassment.

SECTION 3. Employee Grievance Procedure

1. Step One: Informal Discussion. An employee having a grievance hereunder shall make a good-faith effort to resolve the matter through informal discussions with the individual(s) involved in the matter and/or with the employee's direct supervisor, within five (5) working days of the occurrence or cause of such matter.

2. Step Two: Administrative Review. If the matter cannot be resolved through informal discussion, the aggrieved employee may submit their complaint, in writing, to the Human Resources Department and the Principal or Assistant Director of the department within which the employee works within ten (10) working days after the most recent event upon which the complaint is based.

If the matter involves the Principal or Assistant Director, the aggrieved employee may skip to Step Three. If the matter involves the Director of the Department the aggrieved employee may skip to Step Four. If the matter involves the Superintendent, the Chief Financial Officer or the Executive Director, the aggrieved employee may skip to Step Five.

The written complaint should include identification of the problem, a description of the efforts undertaken to informally resolve the dispute, and a proposed resolution. The Principal/Assistant Director and Human Resources representative will make every reasonable effort to schedule a meeting to occur within five (5) working days of receipt of the complaint with the Principal/Assistant Director and any other person(s) whose actions or decisions give rise to the matter. At such meeting, each party will have the opportunity to be heard and to request relief. Within three (3) working days or as soon thereafter as is reasonably practicable, the Principal/Assistant Director or Human Resources representative will issue a written recommendation as to how the matter should be resolved. All parties present at the meeting shall receive copies of the written recommendation.

3. Step Three: Review by the Department Director. If the aggrieved employee remains dissatisfied after administrative review, the employee may, within ten (10) working days of receipt of the written recommendation provided under Step Two, submit the complaint to the Director of the Department in which the employee works, with a copy to the Human Resources department. The Department Director and a Human Resources representative will meet with the employee to go over the complaint and discuss the matter with all parties involved. This meeting shall take place within ten (10) working days of the Director's receipt of the complaint, or as soon thereafter as is reasonably practicable given the circumstances. The Director shall make every reasonable effort to prepare a written decision within five (5) working days of the meeting with the employee. All parties present at the meeting shall receive copies of the written decision
4. Step Four: Review by the Superintendent. If the aggrieved employee remains dissatisfied after review by the Department Director, the employee may, within ten (10) working days of receipt of the written recommendation provided under Step Three, submit the complaint to the Superintendent with a copy to the Human Resources department. The Superintendent and a Human Resources representative will meet with the employee to go over the complaint and discuss the matter with all parties involved. This meeting shall take place within ten (10) working days of the Superintendent's receipt of the complaint, or as soon thereafter as is reasonably practicable given the circumstances. The Superintendent shall make every reasonable effort to prepare a written decision

within five (5) working days of the meeting with the employee. All parties present at the meeting shall receive copies of the written decision.

5. Step Five: Review by the Board or its Designee. If the aggrieved employee has a complaint against the Superintendent, the Chief Financial Officer and/or the Executive Director, or has exhausted the steps above, he or she may bring their complaint to the Governing Board. All such complaints shall be filed within ten (10) working days of the decision being appealed or within ten (10) working days of the most recent event upon which the complaint is based, with the Chair of the Governance Committee. The complainant shall file the original complaint and a written explanation of why he or she disagrees with the decision of the Superintendent/Head of School if the matter is submitted pursuant to such a decision under Step Four.

A written decision will be issued by the Board or his/her designee as soon as is reasonably practicable, but no later than five (5) working days after the next meeting of the Board, or a committee thereof if the matter is delegated to a committee. In its discretion, the Board may delegate any such review to a Committee of the Board and hold a hearing in its discretion. If a hearing is held, it will be in closed session to the extent permitted by law. Board members who are interested parties shall recuse themselves from the hearing if such members have a conflict of interest in the subject of the appeal.

Mediation

At any time in the process, the employee may elect to proceed to mediation and the time frames specified in this policy will be suspended. If mediation fails to resolve the complaint, this procedure will resume where it left off prior to the mediation.