

COMPLAINTS

I. PURPOSE

The purpose of a general complaint procedure is to provide an effective means of resolving difficulties, to reduce potential problems and to establish and maintain two-way channels of communication between the administration and employees of the ROP. This complaint procedure is based upon the premise that both the employee and the employer have a sincere desire for a fair and timely settlement of concerns, thereby eliminating the source of discontent. Emphasis should be on an early and equitable solution of a complaint. This complaint procedure is intended to be the exclusive ROP remedy for complaints per the definition stated below.

II. DEFINITIONS

- A. A *complaint* is a formal written statement, signed by a complainant that alleges a violation, misinterpretation, or inequitable application of ROP commission policies, administrative rules, regulations or procedures, or existing laws. The written complaint should include:
 - 1. A complete description of the complaint.
 - 2. The names of any witnesses or other persons to be interviewed.
 - 3. Any previous attempts at resolution; and
 - 4. Any remedy sought.
- B. A *complainant* shall mean any employee of the Baldy View Regional Occupational Program filing a complaint.
- C. *Employer* shall mean the Commission of the Baldy View Regional Occupational Program.
- D. A *day* shall mean working day (any day on which the Baldy View Regional Occupational Program administrative office is open for business).
- E. The *immediate supervisor* is any administrator having immediate jurisdiction over the complainant and who has been designated to adjust complaints.
- F. The *compliance officer* is the employee in charge of Baldy View Regional Occupational Program personnel functions. In the absence of such a person, the compliance officer is the Superintendent or his/her designee.

In addition to the definitions above, it is recognized that there may be occasions when an employee complaint may be directed against another person who becomes a *party in interest* or an individual may be required to take action, and thereupon would have an interest in the complaint. Therefore, a *party in interest* shall be defined as the complainant, or any other person who might be required to take action, or against whom action might be taken in order to resolve the problem.

COMPLAINTS (continued)

III. COMPLAINT RESOLUTION PROCESS

- Step 1. Within a reasonable period of time (not to exceed 30 days) following an event causing a complaint to arise, the complainant shall deliver the complaint to the immediate supervisor. If an employee's immediate supervisor is involved in the complaint, the employee should present the complaint to the next higher level of supervision. Complaints against the Superintendent or the individual in charge of personnel (compliance officer) shall be filed initially in writing addressed to the President of the Commission. It shall be the responsibility of the person initially receiving the complaint on behalf of the Commission to make sure that the complaint is delivered to all members of the Commission.
- Step 2. The immediate supervisor shall have (10) ten days to give a written decision after receipt of the complaint.
- Step 3. If the complaint is not settled in step 2, the complainant shall move to step 3 by written notice to the Superintendent within (10) ten days of receiving the decision in step 2. The Superintendent shall have (10) ten days to give a written decision after receipt of the complainant's notice.
- Step 4. If the complaint is not settled in step 3, the complainant may within (15) fifteen days move to step 4 by providing the Superintendent with a request in writing for a presentation to the ROP Commission regarding the complaint at the next regularly scheduled meeting.

The complainant may request to address the ROP Commission, with representation if so desired, in closed session. Such requests shall be made at the time the appeal is submitted to the Superintendent. If the ROP Commission grants such a request, all involved parties shall be notified and have the right to make presentations. The ROP Commission may question parties after the presentation.

The process shall be as follows:

- a. Present written complaint to the ROP Commission.
- b. The ROP Commission President will read the complaint as presented.
- c. The ROP Commission President shall ask for additional information in writing or orally.

COMPLAINTS (continued)

- d. The ROP Commission will render a decision in the matter no later than the next regularly scheduled meeting. The ROP Commission's decision shall be deemed final.

IV. GENERAL CONSIDERATIONS

- A. Any ROP representative who receives a complaint may meet with the complainant and/or any other involved party prior to preparing the response.
- B. Time limits specified in the procedures may be extended in any specific instance by written agreement of the complainant and the ROP, at any level.
- C. If a procedure is not completed within the specified time by the ROP administrator handling it, the complaint automatically proceeds to the next level.
- D. If a complainant fails to complete a required act within the specified time, the complaint will be considered resolved at the highest level completed.
- E. Any employee found to be in violation of any ROP policy, rule or other directive or state or federal law may be subject to disciplinary action, up to and including termination from employment.
- F. A complaint not satisfied with the ROP's processing of any complaint of discrimination, may also seek remedies with state or federal agencies, which may have jurisdiction.

V. NO REPRISALS

The ROP prohibits retaliation in any form for the filing of any complaint, or for participation in any complaint process. No complainant shall be penalized for exercising his/her right to submit a complaint or participate in the complaint proceedings. If a retaliation complaint arises, the employee may submit a new complaint to the next higher level of authority.