



**Staff Grievance Policy
Administrative Policy A1.6
January, 2010**

Policy Statement

In any organization, there will occasionally be conflicts and misunderstandings that require clarification or resolution. VCFA believes that the best way to resolve problems is to address them fully and fairly. To that end, employees are encouraged to immediately discuss with their supervisor or department head any problem or perceived unfair treatment.

However, if such informal methods do not resolve the problem, a three-step grievance procedure is available. The issues which may be addressed in the procedure are the interpretation and application of the provisions of the employee handbook, disciplinary actions, terminations, any type of discrimination, and matters related to environmental and work safety conditions at the College.

Regular performance reviews are not subject to the grievance procedure. If there is a question as to whether a particular matter is subject to this procedure, the determination will be made by the Chief Financial Officer who is the Chief Human Resources Administrator for the College.

An employee shall not be penalized for using or participating in the grievance procedure in good faith. If a grievance is directed at an individual who is assigned to consider a grievance or appeal under this procedure, the employee may file the grievance or appeal at the next higher step in the procedure.

Step One: Department Supervisor

If informal procedures are not effective in resolving an issue with an immediate supervisor, the employee must, within 10 working days of the event or occurrence which is the subject of the grievance, present the grievance in writing to the department supervisor. Failure to file the grievance within the required time limit shall mean that the employee is barred from proceeding further with the grievance. Grievances filed due to sexual harassment are not subject to this 10-day limit.

The department supervisor may (but is not required to) meet with the parties involved, including the grievant and any witnesses, to investigate the complaint. He or she will issue a written response to the grievant within 10 days of the filing of the grievance.

Step Two: CFO/Director of HR

If the employee is not satisfied with the outcome of the grievance at Step One, he or she may appeal in writing to the CFO/Director of Human Resources within five working days of receipt of the decision by the department supervisor. If the department supervisor fails to issue a response within 10 working days, the grievant may appeal to the CFO/Director of Human Resources.

The CFO/Director of Human Resources shall try to resolve the matter through the use of fact finding and information gathering, including interviewing the principal parties involved in the matter and any relevant witnesses. The CFO shall issue a written decision on the matter within 10 working days of receipt of the appeal.

If the grievance involves alleged sexual harassment the employee should use the College's Harassment and Discrimination Policy, available in the online Policy Library (www.vermontcollege.edu/about/administration).

Grievances of Employment Termination: An employee who wishes to grieve a decision by the College to terminate his or her employment may initiate a grievance immediately at Step Two. The CFO will hear the matter and may choose to appoint a three-member panel to hear the facts and offer opinion as to the merits of the grievance. That panel shall be made up of three non-faculty employees. Any opinion issued by this panel shall be deemed advisory only.

Mediation: With the consent of the grievant, the CFO may refer the matter to mediation prior to deciding the matter. The mediator shall be selected by the College and shall conduct and conclude the mediation within 30 days. If resolution of the matter is not achieved by that time, the mediator will be dismissed and the CFO shall proceed with a decision on the matter.

Step Three: President of the College

If a grievance involving the termination of employment is not resolved to the satisfaction of the grievant at Step Two, he or she may file an appeal in writing to the President of the College within five working days of receipt of the Step Two decision. Failure to file the appeal within the required time limit shall mean that the grievant is barred from proceeding further. The president shall review the prior record of the grievance and in his or her discretion may (but is not required to) meet with the principal parties and relevant witnesses. The president shall issue a decision to the grievant in writing within 20 working days of receipt of the appeal. The decision of the president shall be final.