

**Cochise College
District Board Policy**

**Category: All Employee Groups
Policy Number: 641
Title: Problem Resolution**

The College is committed to providing a work environment that encourages an open atmosphere in which problems or complaints are answered quickly by supervisors and management. The Administrative Review and Grievance Process provide a means for employees to communicate and resolve specific concerns pertaining to their employment. Grievable items do not include basic management rights such as, but not limited to, the right to manage, direct and assign employees; and the right to determine staffing patterns, rates of pay and tasks to be performed. This policy does not replace the routes established to raise specific allegations of discrimination or sexual harassment. Terminations, demotions and suspension without pay are considered through the appeals process outlined in Policy 643.

**Procedure 641.1
Definitions**

Administrative Review – A preliminary step in addressing employee concerns relating to a dispute alleging a violation or misapplication of a specific Board policy or a specific administrative procedure which is related to wages, hours, or conditions of work.

Grievance – A formal process related to disputes alleging a violation or misapplication of a specific Board policy or a specific administrative procedure which is related to wages, hours, or conditions of work. Notice of intent to terminate or an action to terminate employment under Policy 643 is not open to the grievance process.

**Procedure 641.2
Administrative Review**

1. Each level of management, beginning with the immediate supervisor, is responsible for investigating and responding to a complaint whenever appropriate.
2. No reprisals or retaliation of any kind shall be taken at any level against an employee for bringing a complaint.
3. All grievances arising out of an event or series of related events must be addressed in one grievance. The employee is precluded from bringing separate or serial grievances concerning events about which the employee previously grieved.
4. All grievances arising as a result of a Written Reprimand, Letter of Warning or reassignment (excluding demotion, suspension or termination), shall be filed within five business days of receipt of written corrective action.

5. An employee who makes it known that he or she believes there is justifiable grounds for complaint should be directed to his or her immediate supervisor. The supervisor should focus on gathering as many facts as possible, and helping the employee clear up any misperceptions that may exist.
6. If the employee is not satisfied with the disposition of the complaint, the employee may direct the complaint in writing to the Dean or Department Director within five business days.
7. The Dean or Department Director shall set an administrative review meeting within five business days of the complaint in writing advising the employee of his or her decision within five business days of such meeting.
8. If the employee is still not satisfied with the Dean or Director's decision, the employee may file a formal grievance as outlined in this policy.
9. The formal grievance must be submitted to the Associate Vice President for Human Resources in writing within five business days of receipt of the administrative review decision and must include:
 - a. all pertinent facts related to the problem
 - b. any actions taken to date
 - c. specific references to the rights that the employee believes have been violated
10. No record of any part of the administrative review procedure should be made part of the employee's personnel file, unless specifically requested by the employee. However, the supervisor and the administrative officer should forward documentation available regarding discussions held with the employee, what steps were taken to investigate the grievance, how decisions were determined, etc. to the Human Resources Office.

Procedure 641.3
Grievance Process

1. A grievance may be initiated by any employee of the College against another employee, supervisor, or administrator. No reprisals or retaliation of any kind shall be taken at any level against the employee filing a grievance.
2. A grievance may be initiated only after the Administrative Review Process has been exhausted other than written corrective action.
3. All grievances arising out of an event or related series of events must be addressed in one grievance. An employee is precluded from bringing separate or

serial grievances concerning issues that have previously been grieved or brought as a complaint.

4. The grievance must detail the pertinent facts relevant to the problem, actions taken to date and specific references to the rights the grievant believes have been violated.
5. A formal grievance must be initiated in writing to the Associate Vice President for Human Resources within five business days of completion of the administrative review process or receipt by the employer of a written corrective action other than a written reprimand or notice of intent to terminate.
6. The Associate Vice President for Human Resources shall meet with the employee within five calendar days of receipt of the employee's grievance.
7. After the meeting, the Associate Vice President for Human Resources will conduct whatever investigation is necessary and render a decision in writing to the employee within five business days of the meeting. This time may be extended if the employee concurs.
8. If the aggrieved employee is dissatisfied with the Associate Vice President's response, he or she may, within five working days of receipt of the response, submit to the Associate Vice President for Human Resources a written request for a review by the President. This request shall state the nature of and basis for his or her dissatisfaction with the decision or action taken by the Associate Vice President for Human Resources.
9. The President will review the records of the grievance, conduct such further investigation as he or she may deem appropriate, and within ten working days after receipt of the grievant's request, provide a written decision to the parties, with copies to the appropriate Vice President and the Associate Vice President for Human Resources.
10. The decision of the President is final.
11. The time limits specified in this procedure are intended to encourage timely and prompt resolution of all complaints. However, time lines for filing a complaint, grievance or appeal may be changed by mutual agreement.