

**NORTHERN
WESTMORELAND
CAREER AND
TECHNOLOGY CENTER**

SECTION: NON-INSTRUCTIONAL
EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: October 20, 2011

REVISED:

526. COMPLAINT PROCESS	
1. Purpose	It is the Joint Operating Committee's intent to establish reasonable and effective means of resolving difficulties that may arise among employees, to reduce potential areas of complaints, and to establish and maintain recognized two-way channels of communication between supervisory personnel and non-instructional employees for situations not covered by the terms of a collective bargaining agreement.
2. Authority	<p>The Joint Operating Committee adopts this policy to facilitate proper and equitable solutions to complaints at the lowest appropriate level, and to establish an orderly procedure within which solutions may be pursued.</p> <p>There shall be no reprisals of any kind taken against any employees or their representatives because of support of or participation in a complaint.</p>
3. Definition	Complaint - any unresolved problem or interpretation of state laws or regulations; policies or rules of the Joint Operating Committee; and written administrative procedures.
4. Guidelines	<p>Complaints should be discussed in a private, informal conference between the parties involved.</p> <p>At least one (1) private meeting should take place between the parties before the complaint procedure is invoked.</p> <p>A complainant may be represented or accompanied at any higher level of authority by anyone the individual chooses.</p> <p>If the same or substantially the same complaint is made by more than one employee against one respondent, only one employee, on behalf of self and the other complainants, may process the complaint through the adjustment procedure. Names of all complainants shall appear on all documents related to settlement of the complaint.</p>

The time limits provided in this policy may be extended by mutual agreement of the parties. Any decision not appealed within the time limits from one level to the next level shall be considered settled on the basis of the last decision and not subject to further appeal.

Level One - Immediate Supervisor

Within ten (10) days after the occurrence giving rise to the complaint, and following an informal discussion as outlined, the complainant must present his/her complaint in writing to the supervising administrator.

This statement shall include: a clear, concise expression of the complaint; the rule, policy or law for which there is an alleged violation; the circumstances on which the complaint is based; the person(s) involved; the decision rendered at the private conference; and the remedy sought.

Copies of this statement may be sent to any individuals who were present.

Within ten (10) days the administrator shall communicate the decision in writing to the employee. If the administrator does not respond within the time limit, the complainant may appeal to the next level.

Either party to the complaint shall have the right to request a personal conference in order to resolve the problem. Either party may request the presence of one (1) conferee.

Level Two - Administrative Director/Designee

Within ten (10) days after receiving the decision of the administrator at Level One, the complainant may appeal the decision to the Administrative Director/designee. The appeal shall be in writing and shall be accompanied by a copy of the decision at Level One.

Within ten (10) days after delivery of the appeal, the Administrative Director or designee shall investigate the complaint, giving all persons who participated in Level One a reasonable opportunity to be heard.

Within ten (10) days after delivery of the appeal, the Administrative Director or designee shall submit a decision in writing, together with the supporting reasons, to the complainant and the administrators involved.

Level Three - The Joint Operating Committee

Within ten (10) days after receiving the decision of the Administrative Director or designee, the complainant may appeal the decision in writing to the Joint Operating Committee.

The Joint Operating Committee shall schedule the matter for a hearing at an executive session to be held at the next regularly scheduled Joint Operating Committee meeting.

The complainant and the conferee shall be present at the hearing.

Within twenty (20) days the Joint Operating Committee will submit its decision in writing, together with supporting reasons, to the complainant. A copy shall be furnished to the administrators involved.

The decision of the Joint Operating Committee is final.

Miscellaneous Provisions

All documents, communications, and records dealing with processing a complaint shall be filed in a separate file and shall not be kept in the personnel file of any of the participants.

In the event a complaint is filed late in the school year, both parties shall endeavor to expedite procedures to the maximum extent possible so that the process may be completed as soon after the school term as practicable.