

3.05 COMPLAINT PROCEDURE FOR DISCIPLINARY ACTION

The complaint procedure is a formal one. The end decision is binding on all parties. It is, in some ways, a quasi-legal procedure, not to be entered into lightly. It is designed to deal with problems and failures of communication that are serious in nature and which cannot be resolved in any other way.

The procedure is available to all employees of the library. Employees will not be criticized or punished for using the complaint procedure.

The complainant must first have discussed the matter with his or her immediate supervisor. The matter may also be taken to higher levels verbally. If the complainant is not satisfied with informal resolutions of the problem, he or she may enter the formal written complaint procedure.

The time limits set forth in the formal process are stated in working days and are counted from the beginning of the next day. These limits are to be considered maximums and every effort should be made to expedite the process. Time limits may be extended at any step when agreed upon in writing by all parties involved at that particular step.

However, during this process, the failure of the complainant to proceed to the next step within the time limits set for each step shall be deemed a waiver of any further appeal concerning the particular complaint under consideration.

ISSUES APPROPRIATE FOR USE OF THE FORMAL COMPLAINT PROCEDURE:

- Disciplinary actions (other than suspension and termination) where the validity of the charge or action is in question;
- Allegation of a breach, misinterpretation, or improper application of policy, procedure, or practice.

ISSUES THAT ARE EXCLUDED FROM THIS PROCESS:

- Termination due to a reduction in force necessitated by general cut-back in funding;
- The content of published personnel policies, guidelines, and procedures as approved by the Board of Trustees.

If an employee is not satisfied with informal, verbal negotiations of a complaint through the normal chain-of-command, he shall submit the complaint in writing, following a step-by-step procedure that is outlined below.

The library in the formal complaint procedure utilizes a Personnel Board. The Personnel Board is composed of five individuals – the Director, a Trustee, the HR Manager, an objective employee and one additional appointee.

The Trustee will service as presiding officer for each "case" and will discuss with all members any "rules" before each case is heard.

An employee appearing before the Personnel Board has the right to be represented by a person of his or her choice. The Board may do the same. The employee must be cautioned, however, that the Personnel Board conducts administrative hearings and is not bound by the rules of procedure for the Ohio Court Systems.

All parties hearing complaints may interview any person involved. The library will comply with all laws concerning the confidentiality of these proceedings. Any employee violating this policy of confidentiality will be subject to disciplinary measures.

The step-by-step complaint procedure is outlined as clearly as possible on the following page. If, at the end of any step, the complainant is not satisfied, he or she may continue to the next step. If, at the end of any step, the complainant is satisfied, the next step will not be taken.

After the final decision, all papers will be deposited in the personnel files of both parties.

If a decision is rendered against the supervisor, he or she may initiate the next step as appellant.

No retaliatory action(s) taken as a result of complaint procedure findings will be tolerated.

COMPLAINT PROCEDURE

This complaint procedure is a step-by-step, progressive process. An employee begins with Step 1, and (if unresolved at that level) proceeds to Step 2, and (if unresolved) then to Step 3.

| COMPLAINANT FILES COMPLAINT IN WRITING TO: | RECIPIENT OF COMPLAINT DECISION IN: | COPIES OF DECISION ARE SENT TO: |
|--|-------------------------------------|--|
| 1. Supervisor | 3 working days | Complainant Human Resource Mgr. Director |
| 2. Director | 5 working days | Complainant Human Resource Mgr. Supervisor President of Board of Trustees |
| 3. Personnel Board | 10 working days | Complainant Human Resource Mgr. Supervisor Director President of Board of Trustees |

