

UPPER BUCKS COUNTY AREA VOCATIONAL TECHNICAL SCHOOL

SECTION: EMPLOYEES
TITLE: COMPLAINT PROCESS
ADOPTED: October 16, 2008
REVISED:

326. COMPLAINT PROCESS	
1. Authority	<p>It is the Joint Operating Committee's intent to establish reasonable and effective means of resolving conflicts among employees to reduce potential areas of complaints, and to establish and maintain clear two-way channels of communication between supervisory personnel and employees for situations not covered by the terms of a collective bargaining agreement.</p>
SC 1850.1	<p>The Joint Operating Committee adopts this policy to facilitate proper and equitable solutions to complaints by administrative, professional and support employees at the lowest appropriate level, and to establish an orderly procedure for pursuing solutions.</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>
2. Definitions	<p>Complaint - any unresolved problem or interpretation of federal or state laws and regulations; Joint Operating Committee policies, rules, procedures; and written administrative regulations.</p> <p>A day is any day that the administrative offices are open for business.</p>
3. Guidelines	<p>Complaints should be discussed in a private, informal conference between the parties involved. At least one (1) private meeting should take place between the parties before the complaint process is invoked.</p> <p>A complainant may be represented or accompanied by anyone s/he chooses at any higher level of the complaint process.</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 prescribed 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.

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

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 the written complaint to the supervising administrator. This statement shall include:

1. Clear, concise expression of the complaint.
2. Joint Operating Committee policy, administrative regulation or procedure, or law of which there is an alleged violation.
3. Circumstances on which the complaint is based.
4. Person(s) involved.
5. Decision rendered at the private conference.
6. Remedy sought.

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

Within ten (10) days the supervising administrator shall communicate a written decision 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 written appeal 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 written decision, together with the supporting reasons, to the complainant and the administrators involved.

Level Three - Superintendent Of Record

Within ten (10) days after receiving the decision of the Administrative Director at Level Two, the complainant may appeal to the Superintendent of Record. The appeal shall be in writing and shall be accompanied by a copy of the decisions rendered at both Level One and Level Two.

Within seven (7) days after the receipt of the appeal, the Superintendent of Record shall investigate the complaint, giving all persons who participated in Levels One and Two, a reasonable opportunity to be heard.

Within ten (10) day after the delivery of the appeal, the Superintendent of Record shall submit his/her decision in writing together with the supporting reasons to the complainant and the administrators and/or supervisors involved.

Level Four - The Joint Operating Committee

Within ten (10) days after receiving the decision of the Superintendent of Record, the complainant may appeal the decision in writing to the Joint Operating Committee.

The Joint Operating Committee shall schedule the matter for a hearing to be held at the next regularly scheduled Joint Operating Committee meeting. The complainant and his/her conferee may be present at the hearing.

Within twenty (20) days the Joint Operating Committee will submit its written decision, 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.

References:

School Code – 24 P.S. Sec. 1850.1