




National University of Health Sciences General Policies

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 President	Date	<u>6-11-09</u>		

POLICY STATEMENT

National University of Health Sciences (NUHS) policies, rules and procedures are designed to benefit both the employees and the University. Supervisors are responsible for applying and enforcing them fairly and consistently. Employees who feel that they have been treated in a manner inconsistent with established policies may question or challenge a decision or action through NUHS' Employee Complaint procedure. Employees who pursue a complaint through the Employee Complaint procedure will not be discriminated against or suffer any reprisals for using the procedure. An employee complaint is an allegation by an employee that there has been a specific violation, misinterpretation or misapplication of any of NUHS' rules, policies or procedures. NUHS' actual rules, policies or procedures are not grievable.

Complaints are to receive a review and a response without retaliation against the employee voicing the complaint.

Procedures

Complaints addressed through other procedures:

Discrimination or disability. An employee or applicant with a complaint regarding discrimination or accommodation for a disability should contact the Human Resources Officer as described in the policy on discrimination.

Sexual Harassment. Complaints regarding sexual harassment may be advanced through the means described in the policy on sexual harassment.

Informal Procedure

Employees and their supervisors are required to attempt to resolve complaints informally. If the complaint is not resolved at this level, the employee is encouraged to informally discuss the complaint with the next higher level of administration and/or Human Resources. If such informal methods do not result in resolution of the complaint, he/she may choose to proceed to the more formal procedures outlined below.

Formal Procedure

1. **Complaint Initiation** – The employee must present the complaint in writing to Human Resources personnel who will investigate the complaint. This may include a meeting with the person complained against and/or other witnesses. After an investigation of the complaint, the Human Resources personnel will respond in writing to the employee. If this response concludes with a satisfactory solution, the employee may choose to take no further action. If the employee is not satisfied with how the complaint has been resolved, the employee may proceed to the next step.
2. **Administrative Review** – Within five (5) business days of receiving the response from the Human Resources personnel, the employee will present the written complaint, along with the Human Resources personnel response, to the Vice President for Administrative Services. The Vice President will respond to the employee in writing in an attempt to resolve the issue. This step may include an interview with the person complained against and/or other witnesses. If this response concludes with a satisfactory solution, the employee may choose to take no further action. If the employee is not satisfied with how the complaint has been resolved, the employee may proceed to the next step.
3. **Complaint Review Committee** – If, after engaging in the initial steps, an employee does not believe that the complaint has been resolved, he/she may petition the Complaint Review Committee in writing within five (5) business days of receiving the decision of the Vice President for Administrative Services. Given that this is an internal procedure, attorneys are not permitted to attend. The Committee will communicate its findings to all involved parties within five (5) business days of the conclusion of its deliberations. The findings of fact by the Complaint Review Committee are final and not appealable. An appeal, claiming a prejudicial deviation from prescribed procedures, arbitrary and capricious behavior during the hearing, or a Complaint Review Committee recommendation clearly unsupported by the record, must be submitted in writing to the President or his/her designee within ten (10) working days of receipt of the committee's report. The President or his/her designee may interview any and all parties as necessary and may uphold the decision of the Committee or order a new hearing before a new Committee. The Human Resources personnel will follow-up with all parties within thirty (30) days of the decision to ensure that all parties are adhering to the agreed resolution.

Complaint Review Committee:

- The Complaint Review Committee shall consist of three non-exempt and three exempt employees appointed by the President or his/her designee who will serve two-year terms. An alternate may be appointed to replace someone on the Committee if the Committee member has a conflict of interest relating to the employee filing a complaint. The President or his/her designee shall designate two Committee (one exempt and one non-exempt) alternates for this purpose.
- The Human Resources personnel (unless the complaint is about this department) will serve as a chair and ex-officio member of the Committee and may vote to clear a tie vote of the Committee. In the event the complaint is about the Human Resources personnel, the President or his/her designee shall appoint a chair of the Committee.
- In order to fully investigate all complaints, the Committee may interview any and all employees who have information relevant to the matter of issue. The Committee may be provided with access to personnel files with the written consent of the grieving employee. All proceedings of the Committee are confidential. The meeting will be closed with the following exceptions: the involved parties and those persons whom the Committee deem necessary to make its decision.
- Copies of the complaint, written Committee decisions and investigatory documents related thereto shall remain confidential and kept by the President and/or his/her designee but shall not be placed in employee personnel files.

No retaliation:

No person, including parties and witnesses, exercising his/her rights under this policy or participating in the procedures provided by this policy shall be subject to retaliation or threat of retaliation as a result thereof. If such parties feel that they have been the victim of retaliation, they should notify the Human Resources Office. A finding of retaliation or threat of retaliation shall be investigated immediately by the Human Resources Office.

