I. Purpose/Introduction/Rationale

A. The College recognizes that from time to time staff members may experience problems or have conflicts or concerns related to their employment at Rollins. These procedures are intended to provide a fair internal process for resolving disputes of staff members. The success of these procedures depends upon the willingness of all members of the College community to participate when asked and to do so truthfully. Retaliation of any employee who exercises his or her rights under this policy is prohibited. Any employee who penalizes or retaliates against another employee for exercising their rights will be subject to disciplinary action.

B. All regular exempt and non-exempt staff members with an active employment status may use this procedure. Allegations of discrimination or harassment on the basis of race, color, religion, sex, age, national origin, sexual orientation, or disability must be processed through the Discrimination Grievance Procedure outlined in policy HR7420. Terminated employees are not eligible to use this procedure. However, a terminated staff member may use the Discrimination Grievance Procedure outlined in policy HR7420 if they believe that their termination was the result of unlawful discrimination or sexual harassment.

C. The procedures and resources outlined herein may be used in connection with perceived inequitable or unfair disciplinary actions; violations or misapplication of College policies, procedures, or rules; perceived safety hazards; and other work related conflicts. Procedures outlined herein may not be used to seek redress for concerns relating to salaries, layoffs, promotions, transfers, and performance evaluations, except in such cases where violations of College policies and procedures are being alleged. The procedures outlined herein may not be used to file complaints against the President.

II. Procedure or Application

A. Pre-Grievance Counseling

1. Representatives of the Human Resources Department will be available to counsel staff members who believe they have a grievance or need assistance in resolving a work-related conflict or problem. Pre-grievance counseling is non-judgmental. The role of the consultant is to help the staff member identify the source of the problem and provide information concerning College resources, policies, and protective state and federal laws and regulations.

B. Informal Resolution

1. The College will make a good faith effort to achieve informal resolution of a problem brought to its attention through direct consultation with all parties involved. Many complaints and conflicts can be resolved through open discussion between the parties, and staff members are
encouraged to engage in direct consultation with one another in an effort to achieve conciliation.

2. The College offers a mediation program intended to support the informal resolution of conflicts. Mediation is not a form of adjudication, but a voluntary process of dispute settlement in which a neutral third party helps parties reach a voluntary resolution through negotiation, persuasion and problem solving. Mediation is conducted by individuals who have received formal training in mediation and dispute resolution. Staff members who agree to participate in voluntary mediation do not give up the right to file a formal grievance at a later time if informal attempts to resolve a problem have not been successful.

3. The mediation process is best utilized for resolving interpersonal conflicts and disagreements and is not intended to be used for resolution of alleged violations of College policies, employee misconduct and failure to meet performance standards. While a staff member may desire to resolve a problem informally, the College retains the right to conduct a formal investigation and take appropriate corrective action as it determines necessary.

4. If informal attempts to resolve a complaint or conflict are not successful or are not appropriate given the nature of the problem, a staff member may commence a formal complaint through the grievance procedure outlined in section C.

C. Formal Grievance Process
When a grievance cannot be resolved through the informal procedure, the employee may elect to utilize the formal grievance procedure outlined herein below.

1. Step 1
   a. Within 15 calendar days of the incident or knowledge of the facts giving rise to the grievance, the employee shall discuss the grievance with his/her immediate supervisor. This time limit may be extended by the Director of Human Resources in cases where the employee has first attempted to resolve the problem through the informal process outlined above. In such cases, the employee must present his/her grievance immediately following conclusion of informal resolution procedures.
   b. The employee’s supervisor will have a reasonable time period, not to exceed 7 working days, to respond to the employee and indicate how the grievance will be resolved. If the employee is not satisfied with the response of the immediate supervisor, the employee may appeal the decision by following the procedures outlined in Step 2.

2. Step 2
   a. Within 7 working days following receipt of the response from the immediate supervisor, the employee shall discuss the grievance with the department head. The department head, in turn, will have 7 working days to respond to the employee indicating how the grievance will be addressed. If the employee is not satisfied with the response of the department head, the employee may appeal the decision by following the procedures outlined in Step 3.

3. Step 3
   a. Within 7 days following receipt of the Step 2 answer, the employee shall submit the grievance in writing to the Director of Human Resources. The content of the grievance should include: (1) information concerning the nature and extent of the problem, facts surrounding it; (2) the rule, regulation, policy, or procedure, if any, that is alleged to have been violated; and (3) the remedy sought by the employee.
The Director of Human Resources will investigate the complaint and attempt to resolve the problem. Assuming all reasonable efforts to resolve the problem have been exhausted, the Director shall present a report of findings and recommendations regarding disposition to the appropriate Vice President or President. The presiding official will strive to make a determination within thirty (30) working days.

b. If the determination is not acceptable to the aggrieved employee, the decision may be appealed within ten (10) working days, at which time the presiding Vice President or President will convene a grievance committee to review the complaint and consider possible remedies. The grievance committee shall be selected by the presiding Vice President or President and be comprised of three neutral staff members not employed in the aggrieved employee’s vice presidential area.

c. During this review, the Committee will have access to all information pertinent to the case and may meet with any individual possessing information related to the case. Upon conclusion of its review and/or investigation, the committee shall deliberate and present its conclusions and recommendations in writing to the presiding official. The presiding official shall then have the option, but not the obligation, to amend his/her initial determination based on the recommendations of the grievance committee. The determination rendered by the presiding official shall then be final.

D. General information

1. Time limits set forth for filing and appealing grievances must be strictly followed by the aggrieved employee. Extensions to the time standards contained herein may be adjusted at the discretion of the Human Resources Director due to the unavailability of a necessary party or to allow both parties more time to achieve conciliation. Unless the time limits are extended, a grievance is considered settled on the basis of the last answer if the grievant fails to appeal on a timely basis. An employee may withdraw the grievance at any time, but forfeits the right to reinstate the grievance at some later time.

2. The orderly progression of steps 1 through 3 may be modified by the College where the origin of the grievance, the department involved, or the content and scope of the grievance makes that progression impractical.

3. An aggrieved employee shall have the option of assistance by an individual of their choice from the College faculty or staff body during all portions of the formal grievance procedure, provided that the chosen person is willing to assist the aggrieved employee in the process. Employees may not be represented by a lawyer or any outside third party in the grievance procedure.

4. An employee’s attendance at a grievance review meeting held during normal working hours shall be with pay. Any other time spent in formulating or preparing a grievance shall be done outside of the regular work schedule and shall be without compensation.

5. Any decision made as a result of the formal grievance procedure will apply only to the individual(s) who submitted the grievance and will not serve as a precedent for establishing or changing any policy or procedure of the College.

6. If an employee exercises his/her rights to file a complaint with a government agency or files a court action, the College reserves the right to terminate the grievance process. In the event that
an employee has already commenced his/her grievance procedure at the time the employee files a complaint with any governmental agency including a state or federal court, the employee shall notify the Director of Human Resources of that fact. If the College chooses to terminate the grievance process, the Director will notify all parties involved.

7. To the extent feasible, the confidentiality of all matters handled through the grievance procedure shall be maintained.

**III. Related Policies or Applicable Publications**

*See also: HR7420 Discrimination Grievance Procedure for Exempt and Non-Exempt Staff/Faculty*

**V. Appendices/Supplemental Materials**

*N/A*

**VI. Rationale for Revision**

*N/A*