

college, and the employee will have seven (7) days to revoke the agreement after it has been executed.

Retaliation Prohibited

Any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with board policy. If employees have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.

Recovering from an Incident

Consider these tips for helping to cope with this process:

Confide in others: if you feel comfortable, speak to your friends, family, and co-workers. Also, consider joining a support group—where you can connect with people who understand your experience. Take control of the conversation and find a support community.

Seek professional help: seek help from a licensed professional. A highly trained therapist can make a significant positive impact—offering proven coping skills and support.

Engage in behaviors conducive to well-being: find practices—such as yoga, meditation, and journaling—that support your physical and psychological wellness.

Klamath Community College offers an Employee Assistance Program (EAP) to all full-time benefited employees. See [Section 5.4](#) for more information.

Reference: Board Policy 3540

SECTION 504 NOTICE OF NONDISCRIMINATION

Klamath Community College offers career and technical education programs in academic degree programs and career pathway certificates. Admission to these programs is based on admission standards created in a way intended to not discriminate on the basis of race, color, national origin, sex disability or age in its programs or activities.

KCC will take steps to assure that lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs. All employees of KCC are expected to support and act in furtherance of these College values and priorities. The Executive Director of Human Resources has been designated to coordinate Title IX and Section 504 compliance.

The Section 504 coordinator may be reached by email to titleix@klamathcc.edu, or by contacting the Executive Director of Human Resources.

7.4: GENERAL GRIEVANCE PROCEDURE

The College recognizes that in any employee group, personnel problems will occasionally arise. It is usually in the best interest of both the College and the employee to resolve such problems directly as soon as possible in a professional and cordial manner. Whenever possible, employees should first attempt to resolve conflicts on an interpersonal basis without making an appeal to administration. In order that employees may be assured fairness in the consideration of such problem(s), a process of appeal and review has been established.

GRIEVANCE PROCEDURE DEFINITIONS

Grievance: A "grievance" or "formal complaint" is a claim by an applicant, employee, or group of employees, of a violation of Civil Rights Laws (including, but not limited to, Title II, Title VII, or Title IX of the Civil Rights Act, or Title III of the Americans with Disabilities Act), equal employment opportunity, Affirmative Action policies, Sexual Harassment policies, the improper implementation of Board policy, unfair treatment, or disciplinary action resulting in suspension or termination.

Grievant: An applicant, employee, or group of employees making a grievance.

Informal Grievance: "Informal Grievance" is that stage of a grievance procedure involving the grievant and the person responsible for the alleged grievance.

Formal Grievance: "Formal Grievance" is that state of a grievance proceeding other than informal grievance. Formal grievance proceeds with the giving of written notice as herein provided.

Parties or Persons Directly Involved: "Parties or persons directly involved" are the grievant, the person responsible for the alleged grievance, any other employee, including the President and the Board who has rendered prior decisions in processing the grievance.

Day: "Day" as used herein refers to a working day. Weekends, holidays, or unexpected school closures are not considered a day under this definition.

BOARD POLICIES ESTABLISHING GRIEVANCE PROCEDURE

The Board establishes that:

- The grievant has the right to be assisted by counsel at all stages of the grievance procedure at the grievant's expense.
- Management has the right to be assisted by counsel at all stages of the grievance procedure.
- The grievant will be allowed time away from their job without loss of pay when required to attend meetings with management for the purposes of adjusting the grievance under the procedures defined herein.
- The grievant may withdraw their grievance at any time.

- Time limits may be extended by mutual agreement. If either party fails to comply with the established time limits, the grievance will be declared settled in favor of the other party.
- There will be no restraint, interference, discrimination, or reprisal against an employee who uses these procedures for resolving a grievance.
- Employees will be free from retaliation as a result of filing for a grievance or participating in any manner in an investigation or processing of a grievance. No employee will be discharged, suspended, demoted, or subjected to other adverse personnel actions because he or she acted in good faith pursuant to this policy and as provided for under Federal and State Law.

INFORMAL GRIEVANCE PROCEDURE

Before submitting a formal grievance, a grievant should seek resolve their grievance at the lowest level possible by communicating directly with the other party. To ensure timely resolution of conflicts, the grievant should initiate the informal grievance process no later than ten (10) work days of the occurrence or within ten (10) work days of the grievant's first knowledge of the facts of the occurrence.

Every attempt will be made to resolve the grievance at the lowest level possible. Except in cases where it is not safe or practicable to do so, the grievant and the person responsible for the alleged grievance should meet to attempt to resolve the grievance on an informal basis. Another administrative level employee or member of Human Resources may be requested by mutual consent of the parties to assist in the resolution of the grievance at the informal level.

If the conflict is not resolved at the informal level, the grievant may choose to take no additional action, seek administrative intervention outside of the grievance process, or they may initiate the formal grievance process according to policy establishing the grievance procedure.

FORMAL GRIEVANCE PROCEDURE

A grievant may initiate a formal grievance after they have made a good faith effort to exhaust their informal grievance options. The formal grievance procedure is considered the most serious internal form of problem resolution in the College and should be followed according to the formal rules in terms of timelines and complaint submissions. Formal grievances not conforming to procedural rules regarding form and timeliness may be denied regardless of their underlying substance or merit.

Formal grievances must be submitted **within twenty (20) work days** of the grievant's knowledge of the incident giving rise thereto. If there is more than one grievant, each grievant must meet the time limit in order for their submission to be actionable through the grievance process. Any grievance not meeting the time limit will not be considered eligible to receive a remedy under the grievance process.

FORMAL GRIEVANCE – EXECUTIVE DIRECTOR OF HUMAN RESOURCES

1. **Written complaint:** Grievant shall submit the written formal complaint to the Executive Director of Human Resources specifying in detail the basis of the grievance and the remedy requested. This statement shall form the basis for further formal consideration and requested remedy and may not be materially altered when presented for consideration at subsequent steps in the grievance procedure or appeals process unless new facts or evidence justify a revision of the original complaint.
2. **Meeting with Human Resources:**
 - a. A meeting with the grievant and the Executive Director of Human Resources will occur within seven days of the written complaint.
 - b. A meeting with the person(s) responsible for the grievance and the Executive Director of Human Resources will occur within seven days of above-mentioned meeting between the Executive Director of Human Resources and the grievant. During this meeting the person(s) responsible for the grievance will be advised of the grievance, granted an opportunity to review the written complaint and evidence, and provided an opportunity to respond.
3. **Written decision issued:** Within seven days of the meeting between the Executive Director of Human Resources and the person(s) responsible for the grievance, the Executive Director of Human Resources will issue a written decision which will be distributed to all parties involved in the grievance. The written decision will include:
 - a. A determination of the relevant facts in regards to the claims made in the formal grievance
 - b. A rationale for the final decision, including a discussion of the applicability of the facts in supporting the grievant's claim of violation of an applicable policy, unfair treatment, or disciplinary action.
 - c. Either the granting of the grievance in whole or in part, a denial of the grievance in whole or in part, and issuing a remedy as appropriate.

FORMAL GRIEVANCE APPEAL – PRESIDENT'S OFFICE

If a grievant is not satisfied with the written decision of the Executive Director of Human Resources, the grievant may appeal the decision by submitting a written request to the office of the President.

1. **Written appeal:** Written requests should include the original complaint submitted in the formal grievance, and, in addition include an explanation as to how the previous decision was made in error or contrary to law or policy. Mere dissatisfaction with the outcome of a formal grievance procedure is not a basis for an appeal. Written appeals must be received by the President's