



Policy No. 6.004

Northwest Louisiana Technical Community College

GRIEVANCE AND COMPLAINT PROCEDURE

Original Adoption: April 30, 2009
Effective Date: July 1, 2009
Last Revision: December 16, 2019

The Northwest Louisiana Technical Community College (NLTC) is committed to providing the highest level of quality education and training and supports the right of faculty and staff to fair and judicial resolution of problems, which may arise from conditions of their employment. If problems are unable to be resolved through informal discussions with administrators, the College provides a formal policy (LCTCS Policy #6.015 Grievance- For all Employees) and procedures required for the appropriate resolution of any grievance concerning teaching responsibilities and professional activities while employed at NLTC.

Application

This procedure shall apply to all faculty and staff of the College.

Definitions

Grievance- an expression of alleged unfair or inequitable treatment with respect to the application of policy, procedure ,or regulation of a full-time faculty member or staff member acting in his/her capacity as a faculty or staff member.

Grievant or Appellant- any faculty or staff member who is aggrieved because of a decision of a superior directly affecting him/her.

Statement

In any organization, dissatisfaction and misunderstanding may arise among employees. Employee problems should be resolved at the lowest possible supervisory level and at the earliest possible opportunity. The grievance procedure is one means of addressing employee complaints. Such a procedure should never be denied an employee; however, it is often beneficial to both the grievant and the agency to try to resolve problems unofficially before resorting to this official complaint forum. This procedure is a method of determining the specific cause for a grievance and finding the best way to handle it. An employee who files a grievance shall not be retaliated against. This procedure applies only to employees currently employed at NLTC.

PPR reviews for classified employees are handled through the Civil Service Chapter 10 rules and not through the grievance process. Complaints about letters of warning, reprimand or counseling are handled by written response and not through the grievance process.

If any unclassified or classified employee of NLTC wishes to file a grievance for any reason other than those listed above, the following steps should be followed to ensure the grievance is handled in an appropriate and timely manner.

No grievant may appeal to a higher appellate authority until he/she has exhausted all prior appeals.

Procedures

First step

1. All grievances should be presented within 14 calendar days from the date the employee first became aware of, or should have become aware of, the cause of such grievance.
2. The grievant will present the grievance to the immediate supervisor, and if possible, it should be settled at that level.
3. The immediate supervisor must provide an oral and written response to the employee on the complaint within seven (7) calendar days.

Second step

1. If the grievant is not satisfied with the first step response, or if a response is not provided within the prescribed time limit, the grievant may present the grievance in writing to the Dean. This shall occur:
 - a. Within 7 calendar days following the date the employee received the supervisor's response, or
 - b. Within 7 calendar days following the date the supervisor's response was due, if the supervisor fails to respond within the prescribed time limit.
2. The Dean must investigate, afford the grievant an opportunity to present his or her viewpoint, and provide the grievant an oral and written response containing findings and recommendations within 14 calendar days of receipt of the written grievance.

Third step

1. If the grievant is not satisfied with the second step response, or if the second step response is not provided within the prescribed time limit, the grievant may present the grievance to the Chancellor/ Appointing Authority for the agency. This shall occur:
 - c. Within 7 calendar days following the date the employee received the second step response, or

- d. Within 7 calendar days following the date the second step response was due, if the second step response is not made within the prescribed time limit.

The appointing authority or designee must conduct a hearing, an investigation if deemed appropriate, OR a review of the first and second step responses, and must issue a written decision within 21 calendar days following the date the grievance entered the third step.

Classified Employees

Under certain circumstances, Civil Service classified employees should use the State Civil Service procedure for appeals and hearing rather than the NLCC grievance policy. Examples of the types of actions over which the Civil Service Commission assumes responsibility are disciplinary actions which impact pay, such as:

- Removal of a permanent employee for cause
- Suspension with or without pay as a disciplinary action
- Reduction in pay
- Prohibited political activity
- Classification and pay

Summary disposition of a grievance

At any time after the filing of a written grievance, an appointing authority may dismiss the grievance on any of the following grounds:

1. The action is appealable to the Director of Civil Service or to the Civil Service Commission.
2. The grievant does not work for the agency.
3. The person against whom the grievance is filed does not work for the agency.
4. The grievance has not been made in the required manner or within the prescribed period.
5. A decision on the grievance would be ineffective or moot.
6. The remedy requested cannot be granted.
7. The appointing authority has determined the grievance to be frivolous.
8. The grievance is being used to impede the efficient operation of the agency.
9. The grievant did not appear for the grievance hearing.
10. Other legitimate reasons.

When an appointing authority dismisses a grievance, he or she shall notify the grievant and any supervisor or section head who received the grievance.

Confidentiality

All finalized grievance files should be kept in the Human Resources office for record retention. Information obtained will be provided only on a need-to-know basis.

Approved:



Earl W. Meador, J.D.
Chancellor