

FLORIDA GATEWAY COLLEGE

POLICY

TITLE: Grievances

NUMBER: 6Hx12:6-10

AUTHORITY: District Board of Trustees

PAGE: 1

RESPONSIBILITY: Executive Director of Human Resources
and/or Appropriate Vice President

OTHER: Florida Statute 1001.64; 1001.65;
State Board of Education Rule: 6A14.0261

DATE: See History Below

It is the policy of the District Board of Trustees that a grievance involves a complaint by an employee, applicant, or student that a Federal Statute, Florida Statute, a State Board of Education Rule, or a Florida Gateway College policy has been violated, misapplied, or inequitably applied.

To provide employees, applicants, and students with the fullest opportunity to bring problems to the attention of the appropriate authority, grievance procedures have been established to ensure to all employees, applicants or students a hearing and fair treatment of grievance without regard to race, color, ethnicity, national origin, gender, religion, disability status, age marital status, genetic information, or any other legally protected status in accordance with the law. It is the right of every employee, applicant, or student to express a complaint or to secure consideration of any grievances, in complete confidentiality, without fear of reprisal or retaliation.

The grievance procedure is not designed to include disputes arising from changes in policy, rule, or procedure. Disputes arising from the suspension or dismissal of any employee classified under Rule 6A-014.041 (6) FAC shall be exempt from the grievance procedures and subject to all appropriate rules and statutory regulations. Furthermore, any dispute arising from dismissal or return to annual contract of any employee holding continuing contract status shall be exempt from the grievance procedure and subject to all appropriate rules and statutory regulations.

History: Adopted: 1/11/83; Effective: 1/11/83;

Revised: 7/14/87; 3/7/89, 2/13/96, 1/11/05, 10/14/08, 02/09/10; 04/12/11; 8/7/12; 12/17/12;
02/12/13

FLORIDA GATEWAY COLLEGE

PROCEDURE

TITLE: Grievances

PAGE: 1 of 4

AUTHORITY: District Board of Trustees

DATE: See History
Below

RESPONSIBILITY: Executive Director of Human Resources
and/or Appropriate Vice President

NUMBER OF RELATED BOARD POLICY: 6Hx12: 6-10

A grievance involves a complaint by an employee, employment applicants, admissions to college programs applicants, participants in college sponsored activities, and other persons affiliated with the college, or student that a Federal Statute, Florida Statute, a State Board of Education Rule, or a Florida Gateway College policy has been violated, misapplied, or inequitably applied. Complaints must be filed within 60 days of the incident. For complaints regarding Discrimination or Harassment, see Policy 6Hx12:6-23.

INITIATION OF A GRIEVANCE - Employee

An employee having such a complaint should first confer with the department director and endeavor to resolve the problem. If there is a conflict of interest with this person, the complainant shall be directed to the Executive Director of Human Resources or his/her immediate supervisor. All complaints/grievances will be afforded the strictest confidentiality without fear of reprisal or retaliation.

Level 1 If the problem is not satisfactorily resolved informally with the department director, the employee may submit a formal written grievance, within five (5) work days, to the department director. The grievance form shall be completed in triplicate. The original shall be presented to the department director, the second copy to the Executive Director of Human Resources and the third copy retained by the employee. The department director shall provide a written disposition within five (5) work days. The Grievance Response forms may be obtained from the Human Resources Office. The original shall be presented to the employee, with a copy to the Executive Director of Human Resources, and a copy retained by the department director.

Level 2 If the matter is not satisfactorily resolved with the department director, the employee may submit the grievance to the appropriate Vice President. The grievance must be submitted with all supporting documents to the Vice President and a copy to the Executive Director of Human Resources within (10) work days from the date of the last action concerning the grievance. The Vice President will meet with the grieving employee within ten (10) work days after conclusion of the meeting, and will provide a written disposition to the employee. The Grievance Response forms may be obtained from the Human Resources Office. The original shall be presented to the employee, with a copy to the Executive Director of Human Resources, and a copy retained by the Vice President.

Level 3 If the matter is not satisfactorily resolved with the Vice President, the employee may submit the grievance to the President. The grievance must be submitted with all supporting documents to the President with a copy to the Executive Director of Human Resources within ten (10) work days from the last action concerning the grievance. The President shall arrange for any hearing or investigation deemed necessary within five (5) work days after being notified of the grievance. The President shall render a decision, in writing, by the twentieth (20th) work day after the conclusion of the hearing or investigation. The original shall be provided to the employee with a copy to the Executive Director of Human Resources for the personnel file. The decision of the President shall be final.

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered as a maximum and every effort should be made to expedite the process. Any disposition which is not appealed by the employee within five (5) work days after the date of receipt will be considered settled. If a supervisor receiving a written grievance does not act within five (5) work days, the Executive Director of Human Resources will take the grievance to the appropriate Vice President. The Executive Director of Human Resources will take the official record of progress of a grievance within the specified time limits. In all cases, action taken will be recorded and copies kept in the official personnel records.

INITIATION OF A GRIEVANCE – Employment Applicants, Admission to College Programs Applicants, Participants in College Sponsored Activities, and Other Persons Affiliated with the College:

An applicant having such a complaint should first confer with the Executive Director of Human Resources in an endeavor to resolve the problem. If there is a conflict of interest with this person, the complainant shall be directed to the appropriate Vice President.

Level 1 If the problem is not satisfactorily resolved informally with the Executive Director of Human Resources, the applicant may submit a formal written grievance within five (5) work days to the Executive Director of Human Resources. The grievance form shall be completed in duplicate. The original shall be presented to

The Executive Director of Human Resources, and the second copy retained by the applicant. The Executive Director of Human Resources shall provide a written disposition within five (5) work days. The original shall be presented to the applicant with a copy retained by the Executive Director of Human Resources.

Level 2 If the matter is not satisfactorily resolved with the Executive Director of Human Resources, the applicant may submit the grievance to the appropriate Vice President. The grievance must be submitted with all supporting documents to the appropriate Vice President and a copy to the Executive Director of Human Resources within ten (10) work days from the date of the last action concerning the grievance. The appropriate Vice President will meet with the grieving applicant within ten (10) work days after receipt of the written grievance. Within five (5) work days after conclusion of the meeting, the appropriate Vice President will provide a written disposition to the applicant. The Grievance Response forms may be obtained from the Human Resources Office. The original shall be presented to the applicant with a copy to the Executive Director of Human Resources and a copy retained by the appropriate Vice President.

Level 3 If the matter is not satisfactorily resolved with the appropriate Vice President, the applicant may submit the grievance to the President. The grievance must be submitted with all supporting documents to the President with a copy to the Executive Director of Human Resources within ten (10) work days from the last action concerning the grievance. The President shall arrange for any investigation deemed necessary within five (5) work days after being notified of the grievance. The President shall render a decision, in writing, by the twentieth (20th) work day after the conclusion of the hearing or investigation. The original shall be provided to the applicant with a copy to the Executive Director of Human Resources for the personnel file. The decision of the President shall be final.

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered as a maximum and every effort should be made to expedite the process. Any disposition which is not appealed by the applicant within five (5) work days after the date of receipt will be considered settled. The Executive Director of Human Resources shall keep an official record of progress of a grievance within the specified time limits. In all cases, action taken will be recorded and copies kept in the Human Resources Office.

INITIATION OF A GRIEVANCE – Student

A student having a grievance or complaint should first confer with the appropriate faculty/staff member in an endeavor to resolve the problem. If there is a conflict of interest with this person, or the problem cannot be resolved, the complainant shall be directed to the appropriate Director, Executive Director, or Coordinator.

Level 1 If the problem is not satisfactorily resolved informally with the appropriate Director, Executive Director, or Coordinator the student may submit a formal written grievance within five (5) work days to the appropriate Director, Executive Director, or Coordinator. The Student Grievance appeal form that documents the grievance procedure can be found in any Vice President's office and can be produced upon request. If the grievance is of an academic nature, at any point during the grievance process, the student may rely upon the Florida Gateway College Ombudsman as a mediator. The Ombudsman mediates a decision that is related to courses and credit granted toward a degree. The grievance form shall be completed in duplicate. The original shall be presented to the appropriate Director, Executive Director, or Coordinator, and the second copy retained by the student. The appropriate Director, Executive Director, or Coordinator shall provide written disposition to the appropriate Vice President within five (5) work days. The original shall be presented to the student with a copy retained by the appropriate Director, Executive Director, or Coordinator.

If there is no appropriate Director, Executive Director, or Coordinator for the student to refer to, then the student will skip Level I and transition directly from the faculty member to the appropriate Vice President (Vice President of Academic Programs, Vice President of Occupational Programs, or Vice President of Student Services).

Level 2 If the matter is not satisfactorily resolved with the appropriate Vice President, the student may submit the grievance to the President. The grievance must be submitted with all supporting documents to the President with a copy to the appropriate Vice President within ten (10) work days from the last action concerning the grievance. The President shall arrange for any investigation deemed necessary as soon as possible after being notified of the grievance. The President shall render a decision, in writing, by the twentieth (20) work day after the conclusion of the hearing or investigation. The original shall be provided to the student with a copy to the appropriate Vice President. The decision of the President shall be final.

A copy of the Grievance policy in Spanish may be requested through Human Resources in Building 001, Room 136.

The equity officer for the college is Sharon Best, executive director of Human Resources, Building 001, Room 136, 149 SE College Place, Lake City, Florida 32025. Telephone: 386-754-4313