



# California Health Sciences University

## CHSU EMPLOYEE CONFLICT RESOLUTION AND COMPLAINTS POLICY

### I. OVERVIEW OF POLICY

It is important to CHSU that employees are treated fairly and that they receive prompt responses to problems and concerns. CHSU understands that concerns may arise in the workplace and encourages employees to communicate these concerns to CHSU so that we can continue to foster a supportive and collaborative work environment for all. CHSU desires a fair resolution of all such concerns in the workplace. Whenever possible, the concerns should be resolved informally; however, CHSU recognizes that this may not be possible or appropriate in all cases. For this reason, CHSU provides a conflict resolution and complaint process to promote prompt and responsible resolution of issues raised by faculty, staff, and administrators ("Employees"). These issues may involve concerns or complaints regarding their work, working relationships or work environment.

The purpose of this policy is to provide a transparent and consistent process for resolving conflicts and complaints.

### II. APPLICATION OF POLICY

This policy applies to complaints of faculty, staff and administrators, regardless of their length of employment or hours they work.

This policy does not apply to complaints made by student(s) or made regarding student(s). Complaints regarding student conduct will be handled under the Student Professionalism and Conduct Policy. Complaints by a student(s) regarding another student, a faculty member, staff member or member of the administration will be handled under the Student Issue or Dispute Resolution Policy.

This policy also does not apply to any prohibited conduct covered by the Unlawful Discrimination, Harassment, Retaliation and Sexual Violence Policy, which establishes a separate procedure for reporting those types of concerns.

CHSU, in its sole discretion, determines which process applies to each particular complaint.

### III. DEFINITIONS

Complaint: Any unresolved grievance, dissatisfaction, wrong, concern or hardship regarding the employee's job, workplace or coworker relationships. This includes any issue regarding the application of any CHSU policy, practice or procedure. This list is not exhaustive.



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Complainant: Employee with a Complaint.

Respondent: Employee or department against whom a Complaint has been made.

## IV. ANTI-RETALIATION STATEMENT

CHSU will not tolerate any retaliation against a Complainant or other CHSU employee or student for filing a Complaint under this policy or for participating in any investigation or other process as a result of a Complaint filed under this policy.

## V. CONFLICT RESOLUTION PROCESS

- A. Step 1: Informal Verbal Discussion: The Complainant is generally expected to raise any Complaint verbally with the Respondent in an attempt to resolve the conflict as informally and as professionally as possible. Alternatively, the Complainant may seek assistance informally from Complainant's immediate supervisor or the supervisor of the Respondent to raise the issue directly with the Respondent. In either case, the Complainant should address the matter as soon as possible following any alleged incident. Supervisors of Complainant and Respondent may utilize internal resources, such as Office of Human Resources personnel or if the Complainant feels it would be inappropriate to raise the matter with the Respondent and/or attempts to seek assistance from Complainant or Respondent's supervisor have not resolved the matter, the Complainant may proceed to Step 2.
  
- B. Step 2: Written Complaint: If a Complainant feels the matter has not been resolved satisfactorily through informal means or is not appropriate for informal resolution under Step 1 in light of the facts alleged, the Complainant may file a written Complaint with their immediate supervisor or the Office of Human Resources. If a written Complaint is received by the Complainant's immediate supervisor or another CHSU administrator from a Complainant, it shall be forwarded to the Office of Human Resources. The Office of Human Resources shall be responsible for overseeing the processing of written Complaints under this policy. Such Complaint will be treated with the greatest degree of confidentiality possible. However, limitations on confidentiality may include CHSU's obligation to investigate Complaint allegations or fulfill other duties required by law or policy. Not all Complaints will require an investigation. If CHSU conducts an investigation, the Office of Human Resources shall select an appropriate CHSU administrator or external party to conduct the investigation ("Investigator"). The Investigator may, in some cases, be from the Office of Human



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Resources and/or subsequently serve as Mediator, as described in Step 3 below. However, in all cases, the Investigator must be a neutral party.

- C. Step 3: Optional Mediation: Mediation is a problem-solving approach which requires a willingness of all those involved with the Complaint to work together to resolve the issues raised by the Complaint. CHSU encourages, but does not require, mediation of Complaints under this policy. CHSU acknowledges that some situations will not be appropriate to be handled through mediation. If the written Complaint is appropriate for mediation and all those involved elect to participate in mediation then a neutral party will be selected to facilitate mediation of the dispute (“Mediator”). The Mediator shall be a member of the CHSU administration or an external party free from bias regarding the parties or matters addressed in the Complaint. The Mediator will set ground rules for the mediation and will help facilitate the discussions but ultimately it will be up to the parties to agree to a resolution of the Complaint. If either the Complainant or Respondent do not agree to mediation or if agreement cannot be reached during mediation, the Complaint will move on to Step 4.
- D. Step 4: Formal Decision. If mediation of a written Complaint does not resolve the Complaint or the Complaint has not been mediated, a determination will be made regarding what the next steps will be based on the type and severity of allegations made in the Complaint. Generally, the Office of Human Resources, in consultation with appropriate members of the CHSU administration, will communicate a written resolution to the Complainant and other parties within 30 business days of receipt of the Complaint. In making a determination, the Office of Human Resources may rely on the investigation, may consult the Investigator or Mediator, if applicable, and may speak to the Complainant and/or Respondent. The written decision shall be final.

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- Policy Owner: Human Resource
  - Effective Date: 2/08/2018
  - Approval by President Date: 2/08/2018