



Series: HR- Satisfaction & Retention COA: HR 4.05, 5.02
CFOP: NA

Procedure Name: Employee Grievances
Procedure Number: HR 2805
Revision #/Date: (1) 3/08, (2)1/09
Effective Date: 9/04

Applicable to: All CBCB Staff

SUBJECT: Employee Grievances

PURPOSE: To provide a process for employees to bring forward concerns or complaints of workplace issues, inappropriate treatment, harassment in any form or feelings of discomfort in direct violation of Company policies, procedures and all applicable state and federal laws governing the employment and workplace practices.

PROCEDURE:

References

(to be added as applicable)

Overview

1. Misunderstandings or conflicts can and do arise in any organization. What is important is how these are addressed and resolved. CBC of Brevard strives to maintain a positive, supportive and collaborative work environment for all employees. When concerns arise, it helps all of us if these are surfaced appropriately, timely and with those in positions accountability who can help to address and resolve the issue before serious problems develop. All concerns are taken seriously.
2. This policy can be employed when a conflict or problem comes to light; whether from an internal or external source. It is essential and expected that this policy is followed so that these conflicts, issues and/or behaviors can be addressed and resolved quickly and effectively for all concerned. Concerns or conflicts that are not surfaced can not be addressed. Complaints to co-workers will not resolve the problem and will only serve to negatively impact the work environment.

Internal Complaints:

Step One:

1. In many instances an open discussion with your immediate supervisor can serve to resolve a concern or complaint. Depending on the nature of the issue, this may resolve your concern and no more may be required. However, if you do not believe a discussion with your supervisor is appropriate, or it involves your supervisor, you make take your concern to the next level of management with whom you feel comfortable.

Alternate Step One:

2. In a case where the first step of this process is not a viable option for you, you may directly and confidentially contact the Chief Personnel & Administrative Officer or Administaff, the Agency's employee leasing company. This meeting will serve to surface your concern and may result in numerous options for you to consider. This meeting will be documented for the record.

Step Two:

1. Report any instance of a violation of Company policy, such as harassment, a hostile environment, retaliation, discrimination or related acts directly to the Chief Personnel & Administrative Officer. It is recognized that employees would prefer to maintain confidentiality when raising certain concerns and to the extent possible this will be honored. However, no employee should fear coming forward to express concerns. We encourage all employees to support and share in the company's commitment to ensuring a positive, productive work environment. This is a responsibility in which we all must actively participate.
2. The company does not tolerate any form of retaliation against employees availing themselves of this procedure. Allegations of retaliation will be investigated immediately and completely. If it is determined that retaliation did take place, immediate disciplinary action will be taken. The Agency, in its sole discretion, determines the appropriate disciplinary action in each instance.

Step Three:

1. An investigation of the alleged violation or complaint will be conducted by the Chief Personnel & Administrative Officer in a confidential manner so as to protect the privacy of the persons involved. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances. In pursuing the investigation, the wishes of the complainant will be respected to the extent possible, but not to the point where the investigation may become compromised. The person alleged to be in violation of Agency policies and expectations will be made aware of the complaint and will be given the opportunity to respond and to present witnesses if applicable. During this time, the Chief Personnel & Administrative Officer will keep the complainant informed as to the status of the investigation.
2. CBC of Brevard wishes to address any complaint in a timely manner once informed. It is expected that the investigation begins immediately upon notice and that the process will be concluded at the earliest possible opportunity. Based on the nature of the complaint, the number of investigation interviews that may be required and staff schedules the process should not exceed 15 business days.
3. Upon completing the investigation, the Chief Personnel & Administrative Officer will provide an executive summary to the Chief Executive Officer and make a recommendation of the appropriate action to be taken. If it is concluded, based on the facts of the investigation and other factors, that a violation of any company policy has occurred, the offending employee will be subject to appropriate disciplinary action up to and including termination.
4. At the conclusion of the investigation, the Chief Personnel & Administrative Officer will meet with the employee who brought the complaint or concern. The employee will be provided with a written notification of the resolution and an explanation of any further appeal, rights or recourse.

5. If at the conclusion of the investigation the complaint or allegation can not be substantiated this finding will be shared with the complainant in an appropriately sensitive manner. The complainant is always free to provide additional evidence which will also be investigated
6. If as a result of the investigation, the Agency will impose disciplinary action, the employee will only be informed that the concerns raised were validated through the process and that the Agency will be taking appropriate actions. The specific actions will not be shared with the employee who brought the complaint.
7. If either party directly involved in harassment or other investigation is dissatisfied with the outcome or resolution that individual has the right to appeal the decision. The appeal should be provided in writing within ten (10) business days to the Chief Executive Officer.
8. The Chief Executive Officer will review the appeal and will issue a final response within ten (10) business days, or if out of the office, within ten (10) days of return.
9. Employment conditions of the offended party and witnesses, if any, will in no way be adversely affected through the use of this Grievance Procedure, subject to falsification of a claim (see below).
10. Individuals found to have engaged in misconduct constituting harassment or other violations of policies will be disciplined up to and including termination of employment.
11. If an investigation results in a finding that the complainant falsely accused another of harassment or other violation of policy knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions including the possibility of discharge.
12. All notes, records, documentation of interviews and actions taken will be maintained in the personnel record with the final resolution and any additional written appeals and actions taken.
13. An applicant or employee may also file a complaint with the Florida Commission on Human Relations (FCHR), 2009 Apalachee Pkwy., Suite 100, Tallahassee, FL 32301 or by calling (850) 488-7082 within 365 days of the allegation, or with the Department of Children & Families Office of Civil Rights at 1317 Winewood Blvd., Tallahassee, FL 32399-0700 within 365 days of the alleged violation. Complaints can also be filed with the United States Equal Employment Opportunity Commission (EEOC) at, One Biscayne Tower, 2 South Biscayne Blvd Suite 2700, Miami FL 33131 or by calling (800) 669-4000 within 300 days of the alleged violation.

This procedure should not be construed as in any way limiting, delaying or preventing the Agency from taking disciplinary action against any employee, up to and including termination, in circumstances involving actions of gross misconduct, fraud, falsification of records, a violation of company policies or those where the company deems such disciplinary action appropriate.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:



DR. PATRICIA NELLIUS-GUTHRIE
Chief Executive Officer
CBC of Brevard, Inc.

APPROVAL DATE: 3/5/09