



COMPLAINT PROCEDURE

OVERVIEW

The College encourages resolution of complaints in an atmosphere of mutual respect. Any form of retaliation for bringing forward a complaint will not be tolerated. The complaint process applies to all employees (regardless of classification), community members, and students.

Information concerning the nature, scope, evaluation, and resolution of complaints shall be confidential to the greatest extent possible and will be shared only with those persons with a need to know.

A **complaint** is a request for the resolution of a problem, conflict, concern, or issue that negatively impacts students, employees, the community and/or the College. Examples may include, but are not limited to:

- For **employees** – Professional relationships; communication; non-compliance with policies; concerns regarding job duties, responsibilities, and assignments; and safety and environmental issues.
- For **students** – Concerns that a policy or procedure of the College has been incorrectly or unfairly applied, or a concern about a person's behavior.
- For **community members** – Concerns regarding customer service or compliance with policy or laws, operations, or processes; this includes concerns from – and regarding – College vendors.

Complaints that allege violation of employment laws, equal education opportunity laws, or affirmative action law will be referred to the College's Equal Employment Opportunity Office.

Complaints against the Chancellor and/or the Board of Governors will be addressed in accordance with Standard Practice Guide 1501/AA and Article XII of the Pima County Community College District Board Bylaws.

Student grade appeals or student complaints that are faculty-related will be referred to the faculty member's Supervising Administrator.

INFORMAL RESOLUTION

The College encourages resolution of any complaint directly with the person involved. The complainant may seek assistance from an appropriate College employee; examples include – but are not limited to – a supervisor, the campus designated contact person (for students), or the Human Resources Employee Relations Office (for employees).

Whenever possible, a complaint should be brought forward within thirty calendar days from the date of the last incident. It is the responsibility of the appropriate College employee to meet in a timely and professional manner to discuss the complaint. The College employee will consider reasonable solutions to remedy the situation consistent with College policies and procedures, as well as ensure that all parties involved are informed of the outcome of the review as appropriate.

If the complaint is not resolved at the informal stage, or it is not appropriate or practical to seek resolution at the informal stage, then the formal complaint process should be followed.

FORMAL COMPLAINT

Whenever possible, a formal complaint should be brought forward at the conclusion of the informal process or within 30 days of the incident, whichever is longer.

To initiate a formal complaint, the complainant must complete a complaint form on-line via the College's hotline, or may obtain assistance filing a complaint and completing the form by contacting the Office of Dispute Resolution. The complainant may remain anonymous; however when remaining anonymous, the ability to fully respond and bring about a resolution may be impacted.

Documentation of the complaint should include;

1. A detailed description of the issue and the negative impact.
2. The date, time, and place of the event(s) pertaining to the complaint.
3. The name and contact information for any witnesses with knowledge of the complaint or subject of the complaint.
4. Specific details regarding the instance(s) of non-compliance with the policy or procedure if applicable.
5. A proposed solution or action.

Upon receipt of the complaint, the Office of Dispute Resolution will review the complaint, determine if an investigation is necessary, enter the complaint in the tracking system, and – if it is determined an investigation is needed – begin the investigation process. For complaints received anonymously via the College's hotline, within 5 calendar days an initial response will be sent to the complainant indicated that the complaint has been received and the status of the review.

The formal complaint procedure typically takes no more than fourteen calendar days for an investigation and response. However, certain complaints may require an extended timeline. In these instances, communication as to the status of the investigation will occur within fourteen calendar days.

CONFLICTS OF INTEREST OR BIAS

In the event of real or perceived conflict of interest, or concern regarding bias on the part of Office of Dispute Resolution, the complainant may make a request to the Internal Auditor that another party perform the investigation.

INVESTIGATION PROCEDURES

Complaints received, will be reviewed first to determine if an investigation is necessary. In some instances, it may be necessary to engage other departments within the College (e.g., Campus Administration, Finance, General Counsel, Human Resources, Public Safety, and/or the Provost Office) or seek external assistance to complete the investigation.

The steps for investigating a complaint typically include:

1. Determine if adequate information was provided to conduct an investigation and/or if an investigation is necessary.
2. Develop an investigative plan (i.e. determine the scope of the investigation, interviews to be conducted, documents to be reviewed, and appropriate offices/personnel involved).
3. Identify any potential reporting obligations and/or the need to notify external entities; if such a requirement exists determine when notification should occur, and how this responsibility will be fulfilled.
4. Define the communication process: determine when to inform parties affected by the complaint and investigation and the best method of communication.
5. Inform all parties regarding the status of the investigation as necessary.
6. Maintain appropriate documents to effectively support the complaint investigative process, outcomes, and recommended corrective actions.

At the conclusion of the investigation, a report will be prepared detailing the outcomes, findings, and any recommendations for resolution. The report will be communicated to the complainant and the subject of the complaint as appropriate. Other appropriate parties may be informed on a need to know basis. The report will be filed with the investigative documents in the hotline database.

REPRESENTATION

The complainant, or subject of the complaint as applicable, has the right and option to identify and select another person as a representative during the complaint investigation process.

A representative shall not be a key witness or potential witness. If the representative has legal training or is an attorney, the representative may not act in the capacity of an attorney. The complainant is responsible for making all final decisions related to the complaint; the representative may act as an observer, note-taker, person who speaks in addition to the complainant (but not for the complainant), and/or advisor and may provide assistance to read and interpret policy or provide other appropriate support.

The representative will be required to sign an acknowledgement form indicating that the representative understands and agrees to abide by confidentiality requirements.

APPEAL

If the complainant believes that an error was made in the investigation process, the complainant may request that the Internal Auditor review the investigation. If the Internal Auditor assisted in the original investigation, the appeal would be heard by another party (e.g. General Counsel).

FEEDBACK

To gain feedback on the investigation process and help ensure continuous improvement, complainants and respondents will be forwarded a survey at the conclusion of the investigation.

At least quarterly, the Internal Auditor and the Director of the Office of Dispute Resolution will review feedback surveys for trends and common themes; the information will be utilized to aid in policy and training development.