



## ST BONAVENTURE UNIVERSITY

### Confidential Employee Complaint Policy

**Administered By:** Office of Human Resources

**President Approval:**

**Policy Number:**  
HR-007

**Associated Form:**  
Online/NeoEd

**Associated Procedure:**

**Policy Version & Date:**  
Final – 12/8/2022

#### **Purpose:**

SBU recognizes that situations occur that create a need for employees to express concerns or complaints in a formal manner. The purpose of this policy is to establish a procedure for the fair, orderly, and timely resolution of disputes that sometimes arise. This shall serve as the exclusive university procedure for the resolution of job-related issues except for those complaints for which there exists a separate, specific policy and procedure. In those instances, employees are encouraged to follow that policy and file complaints in accordance with the relevant procedural requirements. This is the case, for example, of employees who are interested in filing discrimination, harassment, Title IX and/or whistleblower complaints, all of which have specific University policies that apply.

#### **Applies to:**

All regular full-time, part-time, seasonal and temporary employees.

#### **INFORMAL COMPLAINT PROCEDURE**

Regular and forthright communication between employees reduces the likelihood of the need for more formal review and is in the mutual best interest of both the university and employee. Therefore, employee work-related problems should follow the employee's chain-of-command whenever possible, and the complaint should be brought to the attention of the immediate supervisor to discuss the concern with the objective of resolving it. For example, a Faculty member with a concern should begin by speaking with their department Chair. Many concerns can be resolved informally when an employee and supervisor take time to review the issue and discuss options to solve the problem.

Should informal attempts at resolution not be satisfactory, employees may then escalate the issue and file a formal complaint, which is detailed in this policy.

## **Confidentiality**

In instances where informal resolution cannot be reached, it may be necessary to involve the Office of Human Resources (HR). HR will treat all information with appropriate discretion, given the nature of the information and the circumstances regarding its use. SBU cares about employees and their privacy and, whenever possible and appropriate, will keep their information and inquiries private. In cases where University policies or the law require disclosure (for example, should the safety of our faculty, staff, students or others be compromised or there is a compelling business reason), HR will use appropriate discretion in disclosing employee information to those who have a legitimate need to know.

## **Protection Against Retaliation**

Employees may not be retaliated against for exercising rights under this complaint procedure in good faith. When an employee alleges he or she has been retaliated against for exercising rights in good faith under this procedure, or for participating in a complaint as a witness, a separate complaint should immediately be initiated directly with the Office of Human Resources. Such acts of retaliation are unacceptable conduct and a violation of university policy.

## **Time Limits**

The time limits included in this procedure have been established to facilitate a timely resolution of the problem while providing ample time to prepare and present arguments.

## **FORMAL COMPLAINT PROCEDURE:**

### ***Step 1: Department Head or Academic Dean***

In the event that informal attempts to resolve work-related issues are not successful, an employee may then file a formal complaint. The complaint must be in writing, signed by the staff member, and submitted to their department head within ten (10) business days of the occurrence which gave rise to the complaint, or within ten (10) business days of the date the employee had reason to know of the occurrence.

The written complaint should include:

- The nature of the complaint.
- Detailed information including evidence of the issue, witnesses, date/time/location of the occurrence, and any related materials.
- The remedy or outcome desired.

Within ten (10) business days from receipt of the written complaint, the department head or his or her designated representative will interview necessary employees and investigate the allegations. At the completion of this process, the department head will provide the employee with a written answer and a copy of the complaint and answer will be kept in the Office of Human Resources.

### ***Step 2: Appeal to Office of Human Resources***

In the event the issue is not resolved at Step I, the complainant may, within ten (10) business days from receipt of the Step I answer, file a written appeal to the Office of Human Resources. An explanation of the



complaint and details of all previous efforts to resolve the issue including the employee's dissatisfaction with the immediate supervisor's response should be included.

The Office of Human Resources will meet with the appropriate Division Vice President or Provost and the parties involved in the complaint within ten (10) business days of the receipt of the written appeal. The outcome of the review by the Office of Human Resources and the Division Vice President/Provost will be final unless new evidence or other circumstances warrant additional review.

#### **Options for submitting written complaints & appeals**

Written complaints may be submitted via NeoEd, by university email, by phone, by fax, or in-person.

#### **University Contact Information:**

*Office of Human Resources – 716/375-2102*

*HR Fax – 716/375-7689*

#### **EXCEPTIONS TO INFORMAL AND/OR FORMAL COMPLAINT PROCEDURE**

For consistency and continuity of the complaint process, it is expected that employees will follow this policy. However, there are exceptions that may require the procedure to deviate from the chain-of-command. For example, if an employee has a complaint with their immediate supervisor or department chair and does not feel comfortable discussing the issue with them. In that instance, the employee may file a complaint directly with the Office of Human Resources. Another example, if an employee has a complaint against the Office of Human Resources. Should that occur, the employee, may file the complaint directly with the Divisional Vice President, or directly to the President. Other exceptions may arise or other policies may be more applicable, such as Title IX, in which case the employee should follow the steps outlined in the appropriate policy. It is the expectation in all other circumstances that the procedure outlined in this policy will effectively mitigate any employment issue that arises.

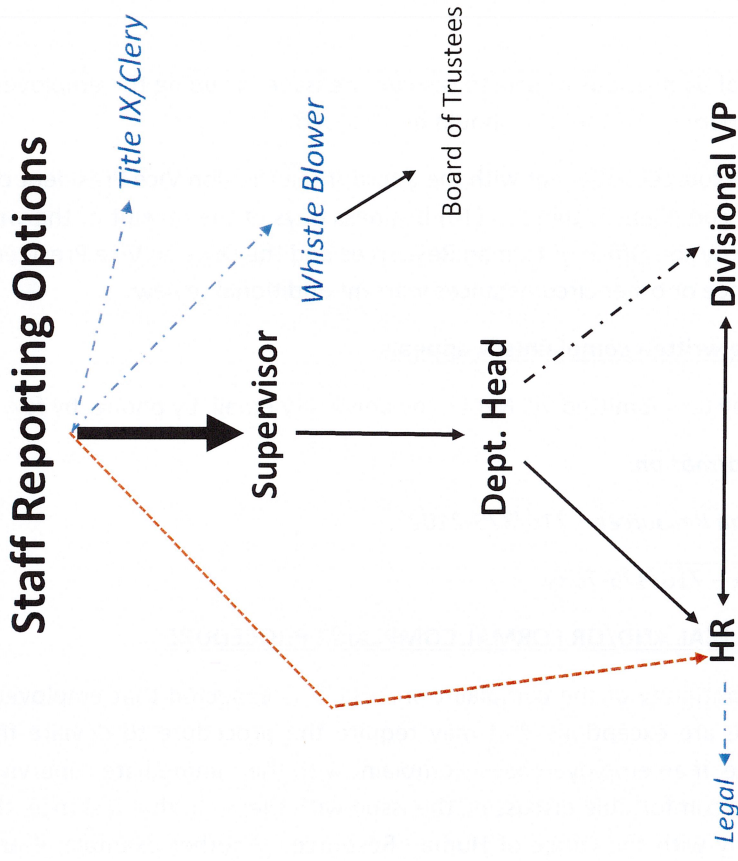
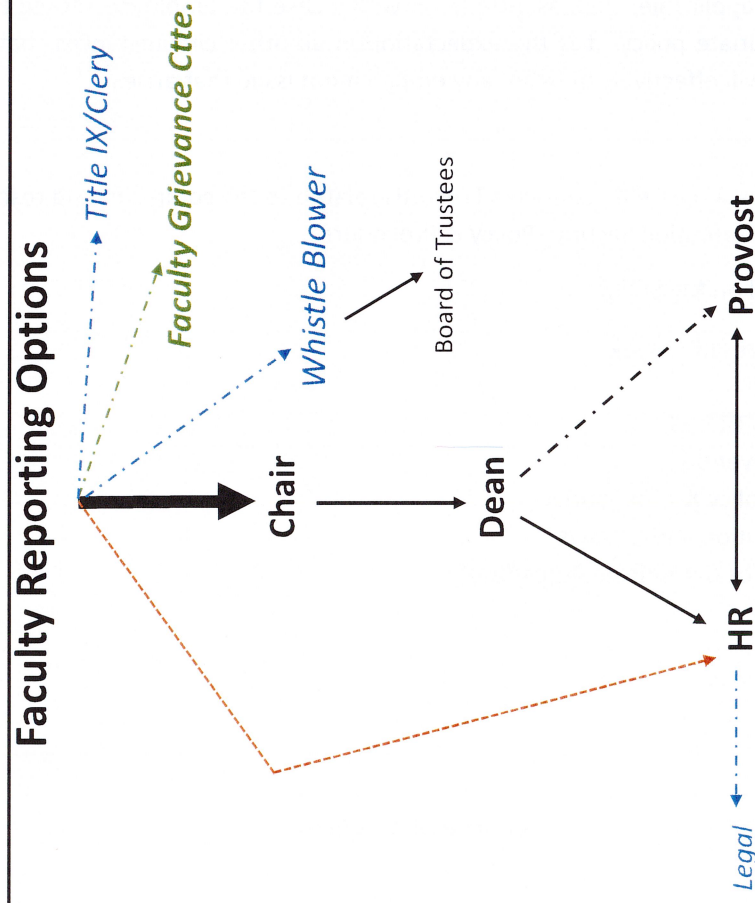
#### **Recordkeeping**

The Office of Human resources will maintain all records related to the complaint and resolution in accordance with the Information Security Policy & Procedure.

#### **Related Policies** (found on My.SBU):

Faculty Status & Welfare Handbook  
Staff Handbook  
Gender Discrimination/Title IX  
Sexual Harassment Prevention  
Information Security Policy & Procedures  
Faculty Senate Constitution and By-laws  
Faculty Senate Grievance Committee Procedures

# Employee Complaint Process



\* Discrimination or harassment of any form - see *Discrimination and Harassment Policy & Procedures*  
 \*\* *Faculty Grievance Committee* only applies to academic program issues