

# NORTHWEST FLORIDA STATE COLLEGE

## APPENDIX C

### PERSONNEL GRIEVANCE PROCEDURE (Reference Policy -- 6Hx5.022)

*"Northwest Florida State College is dedicated to the concepts of equity and equal opportunity. It is the specific intention of the College not to discriminate on the basis of age, color, creed, disability, marital status, national origin, race, religion, or sex in its employment practices or in the admission and treatment of students."*

The Northwest Florida State College Personnel Grievance Procedure is designed to provide an effective process to resolve legitimate issues that are subject to the Grievance Procedure. State Board Rules and College Policies are not grievable. It is only the application or interpretation of College rules or procedures which may be grieved. Grievance Procedures are for full-time employees, only.

#### Resolution of Grievances

Ideally, grievances will be informally resolved. In this process the aggrieved employee meets with the immediate supervisor and discusses the issue. (If the complaint is against the immediate supervisor, the complainant may discuss the problem with either the next level supervisor or the Equity Coordinator.) If the employee does not feel satisfied with this resolution, then the employee should proceed to the next level of administration. After dealing with the next level of administration the employee is welcome to meet with the President of the College for discussion. The President and the employee may either reach resolution of the grievance or at this point the President may suggest to the individual that the formal grievance procedure process should be used.

The right to confidentiality, both of the aggrieved employee and of the respondent, will be respected to the extent possible as provided in Florida Statutes and State Board Rules.

#### The Formal Grievance Process

The formal process involves the employee writing a memorandum to the College President clearly stating the nature of the grievance, the policy or procedure involved, the personnel involved, and the resolution desired. A Grievance committee is then appointed which includes one College employee appointed by the employee bringing the grievance, one College employee appointed by the immediate supervisor of the employee, and a third member appointed by the two previous members. If the two previous members cannot agree on a third member then the President of the College appoints the member. The third member of the committee serves as the chairman.

Within seven (7) working days of constituting the grievance committee, a hearing will be held with the individual bringing the grievance, the respondent and other employees as requested by the grievance committee. The Grievance Procedure involves only College personnel and individuals from outside the institution are prohibited from participating unless they are called as witnesses. Witnesses may only remain in the hearing for the duration of their testimony.

The grievance committee hears the grievance and makes a recommendation directly to the President (within five (5) working days of hearing the grievance).

The President, within seven (7) working days of receiving the recommendation from the grievance committee, informs the employee of the decision. The decision of the President is final except in the cases of employee termination involving employees who have been continuously employed in a full-time capacity at the College for three (3) or more years.

Employees with three (3) or more years of service whose terminations are upheld by the President may appeal his/her decision to the Personnel Committee of the District Board of Trustees. This appeal must be made, in writing, within seven (7) working days of the employee receiving notice of the President's decision. The decision of the Board Personnel Committee is final.

#### Exceptions

Faculty members on Continuing Contracts may not use the Grievance Process for termination decisions, since Florida Statutes and/or State Board Rules establishes a clear procedure for continuing contract faculty members to utilize in case of terminations.

#### Time Limits

If an individual is filing a grievance it must involve a specific event or incident within Sixty (60) working days prior to filing the grievance.

#### Retaliation

Retaliation against employees who have filed a grievance or participated in an investigation or opposed any unlawful practice is prohibited.

#### Summary

Nothing in this procedure is intended to create any due process rights nor does it entitle the individual to seek redress in any court or administrative proceeding.

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Approved by the District Board of Trustees in Regular Session on March 15, 1988.  
Revised July, 1993; November, 1996; **Revised January, 2004.**