

NON-FACULTY PROFESSIONAL STAFF COMPLAINT DUE PROCESS PROCEDURE

COVERAGE AND ELIGIBILITY

Non-Faculty professional staff members who feel that there has been a violation, misinterpretation, or inequitable application of University policy may bring their concerns forward through the process provided below. This policy does not apply to termination of employment and does not apply to complaints of discrimination or harassment based on a protected category because UNE has specific policies to address such complaints. If you believe that you have been discriminated against or harassed based on a protected category, you may address those directly with your supervisor or Human Resources and you should consult the applicable policies contained in UNE's Personnel Handbook, which includes an Anti-Harassment policy, a Title IX policy, an Anti-Bullying policy, a Non-Discrimination and Accommodations of Individuals with Disabilities policy, and a Whistle-Blower Protection policy. The University prohibits and will not tolerate discrimination in employment, the provision of academic services or in any other area of University life based on race, color, sex, physical or mental disability, religion, age, ancestry, national origin, sexual orientation, gender identity and/or expression, ethnicity, genetic information, HIV status, or status as a veteran.

PROCEDURES

Initiating a Complaint

First steps:

Generally, it is preferable for concerns to be addressed between co-workers and supervisors through ongoing discussions before a concern is elevated in accordance with this policy.

- Professional staff members are encouraged to and should first seek to address their concerns with their immediate supervisor.
- If the concern is about the professional staff member's supervisor or the professional staff member believes that their supervisor cannot resolve the concern, they may go directly to their department leader or senior leader.
- If the concern remains unresolved after the professional staff member seeks resolution through their supervisor, they may address their concern with their department leader or senior leader.
- If the concern is about the professional staff member's department leader or senior leader or the professional staff member believes that their department leader or senior leader cannot resolve the concern, the professional staff member may go directly to the Dean of their college or the appropriate Senior Administrative Officer.

To be clear, if, at any time, a concern is about any particular member of leadership, the professional staff member may address their concern with the next higher level of leadership.

Second steps:

If the concern remains unresolved to the satisfaction of the professional staff member or if taking the first steps of discussing the concern with a supervisor, department leader, or senior leader, within ten (10) calendar days of the act or omission giving rise to the concern, or within ten (10) calendar days of the professional staff member's knowledge of the act or omission giving rise to the concern, or within ten (10) calendar days of the most recent offer of a resolution, whichever is later, the professional staff member may file a formal complaint with the Dean of their college or the appropriate Senior Administrative Officer and provide a copy to the Associate Vice President of Human Resources. If the concern is about the Dean or Senior Administrative Officer, the professional staff member may file the complaint with the Provost or Senior Vice President of Finance and Administration as appropriate and provide a copy to the Associate Vice President of Human Resources.

The written statement should clearly and directly state:

- what the concern is;

- the policy or standard which is alleged to have been violated if any;
- the names of those persons causing the concern;
- the names of any persons with knowledge of the act or omission giving rise to the concern;
- the remedy requested.

The administrator receiving the complaint will review the matter and look into the circumstances or will appoint a designate to look into the circumstances and report findings and recommendations to them. The administrator will then provide the professional staff member and the department leader or senior leader with a written determination as soon as practicable, but with the general expectation that the determination will be able to be made and communicated no later than thirty (30) calendar days after receipt of the formal complaint. A copy of the determination should be forwarded to Human Resources.

Appeal:

If matter remains unresolved to the satisfaction of the professional staff member, within ten (10) calendar days of being notified of the determination of the administrator, the professional staff member may appeal the determination to the President by sending a written appeal to the Associate Vice President of Human Resources, who will in turn provide the President with the materials applicable to the concern. At the President's sole discretion, the President may render a final decision or may appoint an Appeal Committee of no more than three employees of the University with the Associate Vice President of Human Resources serving in an advisory capacity to any such Appeal Committee. The Appeal Committee is empowered to review existing materials and to seek further information through the Associate Vice President of Human Resources. The Appeal Committee will present recommendations to the President as soon as practicable, but with the general expectation that the recommendations will be communicated no later than sixty (60) calendar days after receipt of all information provided to the Appeal Committee. Not being bound by the Appeal Committee's recommendation, the President will then render a final decision as soon as practicable, but with the general expectation that the final decision will be communicated to the professional staff member no later than twenty (20) calendar days after receipt of the Appeal Committee's recommendations. A copy of the final decision will be provided to Human Resources.