



POLICY:

Chatham Area Transit Authority understands that organizational conflict is natural, inevitable and expected. To address the inevitable, open and honest communication is encouraged to resolve differences and improve understanding. An employee is encouraged to first discuss his/her concerns and complaints with his/her supervisor or manager. If an employee is unable to resolve his/her complaint informally, he or she may follow the following due process procedure contained herein.

The purpose of the Due Process Policy is to:

- Facilitate the airing and resolving of employee grievances fairly and swiftly.
- Promote a better understanding of policies, practices, and procedures affecting employees.
- Improve employee/supervisor communications and relations.

Nothing contained herein should be construed so as to restrict open discussion among employees and their supervisors regarding matters of employment. Instead, this procedure serves as an extension and formalization of that process as needed for the resolution of grievances.

POLICY SPECIFICS:

Employees are provided an opportunity to present their work-related complaints and to appeal management decisions through a due process procedure. The Authority will attempt to resolve all complaints through the following due process procedure.

An appropriate complaint is an employee's expressed feeling of dissatisfaction concerning any interpretation or application of a work-related policy by management, supervisors, or other employees.

Examples of actions that may be causes of complaints under this policy are:

- Application of Company policies, procedures, rules, regulations, and practices believed to be to the detriment of an employee.
- Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or discrimination.
- Alleged discrimination because of race, color, sex, age, religion, national origin, marital status, veteran status, disability or sexual preference.



- Improper or unfair administration of wages, benefits or conditions of employment such as vacations, promotions, retirement, benefits, holidays, performance review, salary or seniority.

Employees must notify the Authority within 10 working days of the alleged action or when the employee reasonably became aware of the action of any complaint appropriate for handling under this policy.

Employees will not be penalized for proper use of the due process procedure. However, it is not considered proper by raising complaints in bad faith or solely for the purposes of delay or harassment, or by repeatedly raising complaints that a reasonable person would judge to have no merit.

PROCEDURE:

The complaint procedure has a maximum of three (3) steps, but complaints may be resolved at any step in the process. Complaints are to be fully processed, until the employee is satisfied, or resolution is unattainable or does not file a timely appeal (within 10 business days), or until the right of appeal is exhausted.

A decision becomes binding on all parties whenever an employee does not file a timely appeal or when a decision is made in the final step and the right of appeal no longer exists.

Employees who feel they have an appropriate complaint should take these steps:

Step 1

The employee will first present the grievance verbally or in writing, to the department manager within 15 working days after the cause for the grievance occurred or became known to the employee. The employee's department manager will then respond in writing to the employee within two (2) complete working days after the receipt of the grievance. The employee will sign a copy of the determination to acknowledge receipt and date of the response. The department manager should and is encouraged to consult with any his/or division chief to reach a correct, impartial, and equitable determination concerning the grievance.

If the employee is presenting a grievance concerning sexual harassment, the employee may present the grievance directly to the Human Resources Department.

Step 2

If the grievance is not settled with the department manager in Step 1, the employee may contact the applicable division Chief within five (5) complete working days after receipt of



the determination referred to in Step 1. Within two (2) complete working days, the division Chief will advise the employee in writing of determination. A copy will be sent by the applicable division Chief to the department manager and Human Resources, signed and dated by the employee to acknowledge receipt of the response.

An employee may, in cases involving promotion, demotion, suspension, dismissal, or charges of discrimination, submit the request for review of the department manager's decision directly to the division Chief in Step 2, followed by Step 3. The Executive Director/CEO will then issue a written, final, and binding decision.

Step 3

If the grievance is not settled in Step 2, the employee may appeal the grievance to the Executive Director/CEO.

The employee may give written notice to the Executive Director/CEO within five (5) complete working days after receipt of the division Chief determination. Within five (5) complete working days, the Executive Director/CEO will advise the employee in writing of determination. The employee will sign and date a copy of the Executive Director's response to acknowledge receipt thereof, or the division Chief will make a notation for the employee's file that the employee has been informed of the response. The Executive Director/CEO will then issue a written, final, and binding decision.

Final decisions on complaints will not be precedent-setting or binding on future complaints.

To the extent permitted by law, information concerning an employee's complaint is to be held in confidence. Supervisors, department managers, and other members of management are to investigate and discuss a complaint only with those individuals who have a need to know about it or who are needed to supply necessary background information.

APPLIES TO:

All non-union employees of Chatham Area Transit Authority.