

# Chapter 132I-310 WAC

## NONACADEMIC COMPLAINTS AGAINST COLLEGE EMPLOYEES

### WAC

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**WAC 132I-310-010 Purpose and definition.** The purpose of this procedure is to provide guidelines that promote constructive dialogue, understanding, and informal resolution of complaints and concerns that arise against college employees outside the instructional setting. This process also provides an avenue for formal procedures should an informal approach be ineffective. A complaint is hereby defined as a statement that expresses a complainant's dissatisfaction with the performance or action of a college employee, which the complainant believes to be unfair or inconsistent with college policy or procedures.

[Statutory Authority: RCW 28B.50.140. WSR 12-16-111, § 132I-310-010, filed 8/1/12, effective 9/1/12.]

**WAC 132I-310-015 Exclusions of complaint process.** This procedure is not to be used where other procedures are required for the resolution of specific categories of complaints or appeals. Student concerns covered by existing college policy or procedures (e.g., complaints against faculty members section 807 of the HCEA/HCC negotiated agreement) are excluded from this complaint process and should be brought to the attention of the appropriate college official.

[Statutory Authority: RCW 28B.50.140. WSR 12-16-111, § 132I-310-015, filed 8/1/12, effective 9/1/12.]

**WAC 132I-310-020 Time limitations.** Anyone wishing to express a complaint, as previously defined, should do so no later than ten business days from the time the complainant knew or reasonably should have known of the concern. Timely initiation of a complaint rests with the complainant.

[Statutory Authority: RCW 28B.50.140. WSR 12-16-111, § 132I-310-020, filed 8/1/12, effective 9/1/12.]

**WAC 132I-310-030 Complaint process procedures.** (1) Step 1: Discuss complaint with staff member. The complainant should discuss the complaint informally and thoroughly with the staff member to whom the complaint is directed. Both parties should openly discuss the complaint/concern and attempt to understand the other's perspectives, explore alternatives, and arrive at a satisfactory resolution to the complaint. If the complainant and staff member are unsuccessful at finding a resolution, if either of the parties is unwilling to meet, or if the complainant is dissatisfied with the complaint resolution, they should then move to step 2.

(2) Step 2: Express complaint in writing. Within ten business days of meeting or attempting to meet with the staff member, and the issue remains unresolved, the complainant shall draft a written complaint and forward the written complaint to the staff member and the staff member's immediate supervisor.

(3) Step 3: Supervisor conference. Upon receiving the complainant's written complaint, the staff member's immediate supervisor will ask the staff member for a written response. The supervisor may request supporting materials from either the staff member or complainant. At this step, the supervisor's primary goal is to facilitate a resolution of the matter between the parties. To that end, at his or her discretion, the supervisor may hold a conference with the involved parties, may meet with each individually, or may communicate a proposed resolution(s) in writing. Within fifteen business days of the date the written complaint was received, the supervisor shall provide a written copy of his/her decision to each involved party.

(4) Step 4: Executive conference. If the decision of the immediate supervisor does not resolve the complaint to the satisfaction of the complainant, the executive director of human resources or his or her designee shall, on request of the complainant, convene a conference of all affected supervisors within ten business days. All written statements and supporting materials from involved parties will be provided to the executive director of human resources or his or her designee prior to the conference. The executive director of human resources or his or her designee and the affected supervisors may opt to meet, individually or collectively, with the involved parties. Written materials will be retained in the human resources office. If after discussion, mediation, and review of materials at the conference, the involved parties are unable to find a mutually acceptable resolution, the executive director of human resources or his or her designee shall within five business days render a written decision on the complaint and will provide copies to all involved parties. The decision of the executive director of human resources or his or her designee will be final.

[Statutory Authority: RCW 28B.50.140. WSR 12-16-111, § 132I-310-030, filed 8/1/12, effective 9/1/12.]

**WAC 132I-310-040 Complainant assistance.** At any time during the complaint process, a complainant may request that the executive director of human resources or his or her designee assign a college employee to provide the complainant with guidance and assistance with the complaint process.

[Statutory Authority: RCW 28B.50.140. WSR 12-16-111, § 132I-310-040, filed 8/1/12, effective 9/1/12.]