

Complaint and Appeal Process for Non-faculty Employees



Approved: March 19, 2019

Revised:

Next Scheduled Review: March 19, 2022

Procedure Summary

This procedure provides uniform administration of complaint and appeal procedures within the university in accordance with System Regulation *32.01.02 Complaint and Appeal Process for Non-faculty Employees*, System Regulation *08.01.01 Civil Rights Compliance*, and state law.

Definitions

Non-faculty – a full-time or part-time position to include staff, student workers, graduate assistants, and teaching assistants, but not faculty members.

Complaint – a written allegation made by a complainant and submitted in accordance with this procedure, regarding the employee's employment conditions.

Procedure

1. GENERAL:

- 1.1 The Director of Human Resources or designee is responsible to administer the complaint and appeal process for A&M-Central Texas non-faculty employees.
- 1.2 Most problems can be resolved through informal discussions between the employee and the co-worker, immediate supervisor, department head, and/or the Office of Human Resources staff. Oral complaints are considered informal. Although an employee is encouraged to resolve a complaint informally in accordance with this process, he or she may file a complaint without first seeking informal resolution. An employee, supervisor, department head, or the Director of Human Resources may choose to request a meeting for mediation in an effort to resolve an internal conflict before conducting an investigation (if appropriate).
- 1.3 The timelines and processes established by System Regulation *32.01.02 Complaint and Appeal Process for Non-faculty Employees* will be followed for the filing and resolution of a complaint.

- 1.4 The processes outlined in this procedure supplement but do not supersede System Regulation 32.02.01 *Complaint and Appeal Process for Non-faculty Employees*.
- 1.5 An employee's complaint alleging discrimination, sexual harassment, and/or related retaliation must be filed in accordance with System Regulation 08.01.01 *Civil Rights Compliance* and University Rule 08.01.01.D1 *Civil Rights Compliance*.

2. PROCEDURES:

- 2.1 An employee may file a complaint by completing the Formal Complaint Form on the Office of Human Resources (OHR) website, by using the EthicsPoint website (link at the OHR website) or by other written means and then delivering the complaint to the Director of Human Resources.
- 2.2 The Director of Human Resources will review and investigate the complaint or may designate an administrator to review and investigate the complaint. The Director of Human Resources will be available to coordinate and assist the designated administrator's office in completing the investigation. Once the review and investigation concludes the Director of Human Resources, or the designated administrator (if involving or in direct conflict with the Director of Human Resources) will provide a written decision. If deemed necessary, the President may designate someone who is not a University employee to investigate the complaint and provide a written report to the Director of Human Resources who will provide the written decision.
- 2.3 All employees are required to cooperate fully with those performing an investigation pursuant to this rule. Any retaliatory action taken against an employee for filing a complaint or otherwise participating in the procedures established by this regulation is prohibited. The filing of a complaint, however, will not constrain the university from taking appropriate employment action.
- 2.4 If a potential conflict arises that requires a deviation from this procedure, the Director of Human Resources, in consultation with the Office of General Counsel, will provide written guidance on the process that will be followed to avoid any conflict for all parties involved.

Related Statutes, Policies, or Requirements

[System Policy 08.01 *Civil Rights Protections and Compliance*](#)

[System Regulation 08.01.01 *Civil Rights Compliance*](#)

[University Rule 08.01.01.D1 *Civil Rights Compliance*](#)

[System Policy 32.01 *Employee Complaint and Appeal Procedures*](#)

[System Regulation 32.01.02 *Complaint and Appeal Process for Nonfaculty Employees*](#)

Appendix

[Formal Complaint Form](#)

ethicspoint.com

Contact Office

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