

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-2400**

SUBJECT: Employee Conflict Resolution Policy

REFERENCE: Employee Handbook (SAM-2000-1), Pages 18-19, Open-Door Policy

ORIGINATION: December 7, 2022

EFFECTIVE:

REVIEWED: N/A

SECTION 1. PURPOSE

- 1.1 The purpose of this policy is to establish a means by which employees of Southern West Virginia Community and Technical College (the “College”) may raise and resolve disputes and/or complaints that arise in the workplace.

SECTION 2. SCOPE AND APPLICABILITY

- 2.1 This policy applies to all employees of the College. This policy does not expand or limit the rights provided to employees pursuant to the West Virginia Public Employees Grievance Procedure, West Virginia Code § 6C-2-1, *et seq.*, or any other state or federal statute, policy, rule or regulation.

SECTION 3. DEFINITIONS

- 3.1 Disputable Issues – Instances that an employee considers to be a misapplication of policy, improper or unfair treatment by supervisors or others, status and/or standing as an employee, or other significant conditions of employment.
- 3.2 Complainant – The employee who reports a Disputable Issue.
- 3.3 Complaint – The step in the Conflict Resolution policy by which the Complainant reports a Disputable Issue to either the employee’s direct supervisor and/or the Chief Human Resources Officer.

SECTION 4. PROCEDURE

- 4.1 This policy does not replace the employee grievance procedure established by W. Va. Code § 6C-2-2. Rather, it shall be the plan of the College to provide a mechanism through which the College may identify and resolve Disputable Issues. Nothing in the conflict resolution process operates to deny or infringe upon an employee’s right to pursue a formal grievance. The College believes that the establishment of this internal process will benefit faculty and staff alike, permitting investigation and resolution of problems.
- 4.1.1 An employee does have a 15-day timeframe to grieve under the WV Public Employees Grievance statute and must file appropriately if the dispute has not been resolved by the

14th day (or any day in that span that allows the employees time to grieve). The employee has the option to grieve *in addition to* this informal dispute resolution process.

- 4.2 The College's supervisors, managers, and directors are required to carefully review complaints raised by employees and attempt to resolve any complaint or disputes in a fair, efficient, and economic manner and possibly prevent or make unnecessary the filing of a formal complaint. The College's supervisors, managers, and/or directors shall not retaliate or take any form of reprisal against an employee for raising an issue such as those set forth above and may not impose any discrimination against an employee for doing so.
- 4.3 Complaints of illegal discrimination or harassment on the basis of age, color, disability, ethnic origin, genetic information, marital status, race, religious beliefs, sex, sexual orientation, or veteran status will be addressed in an objective and timely manner. Employees are encouraged to immediately report suspected discrimination or harassment of any kind to the Office of Human Resources.
- 4.4 The confidentiality of all parties involved shall be strictly respected insofar as it does not interfere with the College's obligations to investigate allegations of discrimination and to take corrective action.
- 4.5 Nothing in the conflict resolution process operates to deny or infringe upon an employee's right to pursue a formal grievance.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None.

SECTION 6. CONFLICT RESOLUTION PROCEDURES

6.1 Conflict Resolution Procedure.

- 6.1.1 If a Disputable Issue arises, the Complainant shall report the Disputable Issue to either the Complainant's direct supervisor and/or the Chief Human Resources Officer; provided, that if the Disputable Issue involves allegations concerning the Complainant's direct supervisor, the Complainant shall report the Disputable Issue to the Chief Human Resources Officer. If the complaint involves the Chief Human Resources Officer, it should instead be reported to the President.
- 6.1.2 The supervisor shall work with the Chief Human Resources Officer to promptly investigate the facts surrounding the events giving rise to the Complaint. The supervisor and/or the Chief Human Resources Officer shall contact and interview each person that the Complainant contends has knowledge of facts surrounding the Disputable Issue. The supervisor and/or Chief Human Resources Officer, in his or her judgment, may conduct as many meetings with the Complainant and/or other employees as the supervisor and/or Chief Human Resources Officer deems reasonable.
- 6.1.3 The supervisor and/or Chief Human Resources Officer shall attempt to resolve the Disputable Issue. The Complainant shall inform the supervisor and/or the Chief Human Resources Officer whether the Complainant believes the Disputable Issue is resolved.
- 6.1.4 The supervisor and/or the Chief Human Resources Officer shall document in a final report any formal agreements that may result. The Complainant retains the right to utilize the services provided by the WV Public Employees Grievance Board and must adhere to the

policies and procedures and timelines outlined by the WV Public Employees Grievance Board and/or any other outside enforcement agencies.

- 6.1.5 If the Complainant believes that he or she was exposed to reprisal or discrimination as a result of filing a complaint, he or she may contact the Chief Human Resources Officer, who shall review the matter and make any recommendation to the President of the College regarding his or her determination of whether the Complainant was or was not treated in a manner free of reprisal and/or discrimination.

SECTION 7. RESPONSIBILITIES

7.1 Employee

- 7.1.1 All employees of the College are responsible for knowing the terms and requirements of this policy and the procedures related hereto.

7.2 Supervisors

- 7.2.1 All supervisors are responsible for consistent application of this policy and the procedures related hereto.

SECTION 8. CANCELLATION

- 8.1 None.

SECTION 9. REVIEW STATEMENT

- 9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President’s designee. Upon such review, the President or President’s designee may recommend to the Board that the policy be amended or repealed.

SECTION 10. SIGNATURES

Board of Governors Chair **Date**

President **Date**

Attachments: None.

Distribution: Board of Governors (12 members)
www.southernwv.edu

Revision Notes: December 7, 2022 – New Policy.