

POLICY # A2-9.1

COMPLAINT PROCEDURE ALL EMPLOYEES

It is the policy of the Town of Wayland to provide a procedure for employees to bring problems or complaints relating to their employment to the attention of management. Retaliation against any employee for utilizing this complaint procedure is strictly prohibited.

Employees are expected to report problems/concerns immediately to their supervisor (Supervisor is defined as Superintendent, Head Nurse or Department Head.) If the supervisor is unable to resolve the problem/concern, then the employee should report the problem/concern to his/her respective Department Head. If the Department Head is unable to resolve the problem/concern, then the employee should report his/her problem/concern to the Assistant Town Administrator/Human Resources Director. An employee may skip any step in the above-describe chain of command in the following situations: (1) the problem/concern directly involves the individual to whom a report should be made; or (2) the individual to whom a report should be made is unavailable and the employee reasonably believes that the concern is of immediate importance and cannot wait until that individual becomes available. (If the Assistant Town Administrator/Human Resources Director is unavailable, an employee may make his/her report to the Town Administrator.)

NOTE: Some Town policies regarding workplace concerns may expressly provide for a different chain of command. If an employee is unsure of the chain of command that applies to a particular situation, he/she may always follow the above-described order.

Complaints submitted to the Assistant Town Administrator/Human Resources Director must identify the specific facts surrounding the problem/complaint along with names of potential witnesses, if any. The Assistant Town Administrator/ Human Resources Director will request complaints to be in writing, including a description of: (1) any resolution(s) proposed by the supervisor and/or Department Head; and (2) the reason that the employee is not satisfied with the suggested resolution(s).

Upon receipt of a complaint, the Assistant Town Administrator/Human Resources Director will notify the appointing authority. If an investigation is deemed warranted by the Assistant Town Administrator/Human Resources Director and/or the appointing authority, the investigation will be conducted by the Assistant Town Administrator/Human Resources Director. At the request of the appointing authority or Assistant Town Administrator/Human Resources Director, a designated member of the appointing authority may be requested to join with the Assistant Town Administrator/Human Resources Director in conducting the investigation.

Investigations generally will include the following steps: the individual making the complaint and relevant witnesses may be interviewed; facts deemed by the investigators to be pertinent to the complaint will be gathered; and the employee(s) to whom the complaint relates will be given the opportunity to respond to the allegations. (If the complaining employee fails to cooperate with the investigation, such investigation may be discontinued at any time.) At the conclusion of the investigation, the findings will be reported to the appointing authority. The appointing authority will make the determination if remedial action is required.

Employees will be apprised as to the status of their complaint. Normally within 30 days following the submittal of a written complaint, findings will be reported to the appointing authority. If a recommendation cannot be made within that time period, the individual filing the complaint will be notified. If resolution as determined by the appointing authority is not satisfactory to the employee, the decision may be appealed to the Personnel Board. The Personnel Board will review the resolution of the appointing authority and, in its sole discretion, will review any other information that it deems necessary.

The aforementioned procedure is not intended to replace or substitute for the complaint procedure as defined in Policy # A2-5.1 Sexual Harassment, nor is it intended to replace or substitute for union grievance procedures as defined in collective bargaining agreements.

Should any individual be uncomfortable with initiating a complaint, they are encouraged to consult with the Assistant Town Administrator/Human Resources Director.