

Current Language	Proposed Language	Comments
<p>6. CONFLICT RESOLUTION</p>	<p>6. CONFLICT MANAGEMENT SYSTEM</p> <p>The intent of this policy is to provide faculty and administration a clear path to resolving differences. Conflict is both an inevitable part of the workplace and an opportunity for improvement. Every conflict is unique and may require a distinct path to resolution. MCCCCD is committed to offering the faculty access to the District’s coordinated network of options for the good faith review and resolution of workplace conflicts. These options include:</p> <ul style="list-style-type: none"> • An informal process to encourage An informal process to encourage prompt resolution of disputes. The informal step may include consultation, facilitated discussions, or mediation; and • A formal process for conflicts not resolved through informal efforts, including facilitated discussion, mediation, and review by the College President and Chancellor. <p>The Grievance procedures established in this section are not the sole and exclusive remedy available to a grievant for resolving disputes arising under this document. It is understood that the subject matter forming the basis of the Grievance or Resolution of Controversy may also</p>	<p>Proposed new language provides framework for consistent process to follow for both Grievances and Resolutions of Controversy (RoC).</p> <p>Moved from RFP §6.1.3.9.</p>

Current Language	Proposed Language	Comments
	be instituted in an administrative action before a governmental board or agency. The provisions of Section 3.8. still apply.	
	<p>Issues not covered by this policy</p> <ul style="list-style-type: none"> • Claims that involve accusations of harassment, or violations of the Americans with Disability Act (ADA) or other EEO issues, should be reported to the Office of Equal Employment Opportunity. See Administrative Regulation 5: Non-Discrimination for more information. • Title IX claims shall be reported to the Vice President of Student Affairs and to the District Director of HR Solutions Center. See Administrative Regulation 5: Non-Discrimination for more information. • Alleged violations of law, mismanagement, gross waste of monies or abuse of authority refer to Administrative Regulation 6.20: Whistleblower Protection. • Allegations regarding perceived impairment of a faculty member that is manifesting in the workplace, should be reported to District Human Resources. • Allegations of criminal conduct or perceived violations of workplace 	Provides guidance for the resolution of complaints not covered by the RFP.

Current Language	Proposed Language	Comments
	<p>violence should be reported to Public Safety Department. See Administrative Regulation 2.4.12: Workplace Violence Prevention for more information.</p>	
	<p>6.1. Definitions Supervisor A supervisor is an individual with the authority to render a decision under the RFP or Administrative Regulations. For the purposes of this policy, it is assumed that grievances or RoC may challenge decisions made by employees of the District Support Services Office when acting in a supervisory capacity and the levels will proceed according to their respective reporting structures.</p>	
<p>6.1. A grievance is an alleged misapplication, misinterpretation, or violation of a specific provision(s) of the <i>Residential Faculty Policies</i> that adversely affects the grievant. Matters not specifically covered by the <i>RFP</i> should be addressed through Resolution of Controversy.</p>	<p>6.1. Definitions Grievance A Grievance is an alleged misapplication, misinterpretation, or violation of a specific provision(s) of the Residential Faculty Policies (RFP) or Administrative Regulations that adversely affects the grievant, as defined below. Initiation of a Grievance is the procedure by which a grievant may challenge a decision rendered by a supervisor, as defined below. Matters not specifically covered by the RFP or Administrative Regulations should be addressed through the Resolution of Controversy process,</p>	<p>Updated definition that defines grievance as a violation of RFP or other policy.</p>

Current Language	Proposed Language	Comments
	<p>as defined below.</p> <p>Grievant A grievant is a faculty member or members covered by the RFP who initiates the Grievance process as described in section 6.3. If the aggrieved party is the College Faculty Senate or District Faculty Association, the Grievance will be initiated at the appropriate level.</p>	<p>Moved from §6.1.3.4. and clarified to provide explicit standing for Faculty Senate or the Faculty Association to file a grievance.</p>
	<p>6.2. Core Elements of the Conflict Management System</p> <p>Facilitator A trained, neutral third party that may, upon request and agreement of all parties, facilitate problem-solving meetings at the informal or formal level.</p> <p>Investigation Prior to initiating any investigation, District or College leadership must contact District Human Resources. District or College leadership should proceed according to District Human Resources Guidelines, which will include notifying the Faculty Senate President or Faculty Association President, and informing the faculty member being investigated unless such notification would jeopardize the integrity of the investigation or</p>	<p>This section applies to all of Section 6 and helps ensure that any investigatory process undertaken by the College or District will follow best practices.</p>

Current Language	Proposed Language	Comments
	<p>harm the institution.</p> <p>Mediator A trained, certified and neutral third party who may, as defined in Section 6.3., mediate the formal or informal process, following the steps outlined in Section 6.5.</p>	
<p>6.1.1. A grievant may choose one of two processes:</p> <p>6.1.1.1. Informal level. Within twenty-five (25) business days of the occurrence of the act or omission giving rise to the grievance or within twenty-five (25) business days of the date when the grievant should reasonably have known of the act or omission, the grievant shall present the grievance orally to his/her immediate supervisor, citing the specific section of the <i>RFP</i> which has allegedly been misapplied, misinterpreted, or violated. The purpose of bringing the matter to the attention of the immediate supervisor is to resolve the matter at the lowest level, or</p> <p>6.1.1.2 The mediation process, as defined in Section 6.3., may be initiated if all parties agree and follow steps outlined in Section 6.3.</p>	<p>6.3. Procedures for Grievances or Resolutions of Controversy</p> <p>6.3.1. Level One: Informal Process Many Grievances or Resolutions of Controversy (RoC) can be efficiently resolved through direct communication or negotiation with colleagues, supervisors or appropriate administrators. Depending upon the specific organizational hierarchy, there may be multiple supervisory levels to attempt to resolve the Grievance or RoC prior to escalating the conflict to the formal level. These may include, but are not limited to Occupational Program Directors, Division/Department Chairs, or Deans. By mutual agreement all supervisory levels may meet during the informal step to resolve the issues in a single meeting and parties may request a neutral facilitator or mediator (see RFP 6.x) to assist in the discussion.</p>	<p>The proposed process aligns the timelines for both grievances and RoCs.</p> <p>The intent of the Informal Process is to provide sufficient opportunities to resolve conflicts at an informal level. The proposed process would require problem-solving meetings, which may, by request, be facilitated or mediated.</p>

Current Language	Proposed Language	Comments
	<p>Within twenty-five (25) accountability days of the occurrence of the act or omission giving rise to the Grievance or RoC or within twenty-five (25) accountability days of the date when the grievant or complainant should reasonably have known of the act or omission, the employee shall present the Grievance orally to his/her immediate supervisor. For a Grievance, the grievant shall cite the specific section of the RFP or Administrative Regulation which has allegedly been misapplied, misinterpreted, or violated. For a RoC, the complainant shall specify the nature of the complaint. The purpose of bringing the matter to the attention of the immediate supervisor is to resolve the matter at the lowest level.</p> <p>The supervisor or administrator has five (5) accountability days to schedule the problem-solving meeting. The actual problem-solving meeting will be held within ten (10) days of scheduling the meeting. A decision will be rendered within five (5) accountability days of the problem-solving meeting. The decision will be rendered in writing to the grievant or complainant.</p>	

Current Language	Proposed Language	Comments
	<p>If other levels of supervision before Level One of the Formal Process (Appropriate Vice President) exist and are appropriate, then the grievant or complainant is required to informally proceed to the next level. The timeline noted above will be followed by both parties. By mutual agreement all supervisory levels may meet during Level One to resolve the issues in a single meeting.</p>	
<p>6.1.2. Formal Level</p> <p>6.1.2.1. Level 1—Appropriate Vice President. If the grievant is not satisfied with the disposition of the alleged grievance at the informal level, the grievant may file the original grievance, in writing, within seven (7) business days with the Vice President who is the immediate supervisor of the person to whom the grievance was taken at the informal level. If the grievant elects not to file the original grievance in writing within seven (7) business days, the grievance will be considered terminated. If no decision is rendered within five (5) business days after the informal meeting, the grievance is automatically forwarded to the next level. (If the grievant’s immediate supervisor at the informal level reports directly to the College</p>	<p>6.3.2. Formal Process</p> <p>6.3.2.1. Level Two: Appropriate Vice President If the grievant or complainant is not satisfied with the disposition of the alleged Grievance or Resolution of Controversy (RoC) at the informal level, the grievant or complainant may file a Grievance or RoC, in writing, within ten (10) accountability days with the Vice President who is the immediate supervisor of the person to whom Grievance or RoC was taken at the informal level. If the grievant or complainant elects not to file the Grievance or RoC in writing within ten (10) accountability days, the Grievance or RoC will be considered terminated.</p> <p>The Vice President has five (5) accountability days to schedule the formal meeting. The actual problem-solving meeting will be held</p>	

Current Language	Proposed Language	Comments
<p>President, this step in the grievance process can be omitted.) Within ten (10) business days after receipt of the written grievance, the appropriate Vice President and the grievant will meet in an attempt to resolve the grievance.</p>	<p>within ten (10) days of scheduling the meeting. A written decision will be rendered within fifteen (15) accountability days of the problem-solving meeting. If no decision is rendered within fifteen (15) accountability days after the problem-solving meeting, the Grievance or Resolution of Controversy is automatically forwarded to the next level.</p>	
<p>6.1.2.2. Level 2—College President. If the grievant is not satisfied with the disposition of the grievance at Level 1, the grievant may, within fifteen (15) business days of the meeting with the appropriate Vice President, forward the written grievance and the response received at Level 1 to the College President. If the grievant elects not to forward the grievance in writing within fifteen (15) business days of the meeting with the Vice President, the grievance will be considered terminated. If no decision is rendered within ten (10) business days of the meeting with the Vice President, the grievance will be automatically forwarded to the next level. Within five (5) business days, the College President, or designee, will arrange a meeting at a mutually agreeable time and place, such meeting to occur within five (5) business days after the grievant is</p>	<p>6.3.2.2. Level Three: College President If the grievant or complainant is not satisfied with the disposition of the Grievance or Resolution of Controversy (RoC), the grievant or complainant may, within five (5) accountability days of the decision of the appropriate Vice President, forward the written Grievance or RoC and the response received from the Vice President, to the College President. If the grievant or complainant elects not to forward the Grievance or RoC in writing within five (5) accountability days of the meeting with the Vice President, the Grievance or RoC will be considered terminated.</p> <p>The College President has five (5) accountability days to schedule the problem-solving meeting. The actual problem-solving meeting will be held within ten (10) days of</p>	

Current Language	Proposed Language	Comments
<p>notified. The College President will issue a written response to the grievant and to the Faculty Senate President within five (5) business days after the meeting.</p>	<p>scheduling the meeting. The College President will issue a written response to the grievant or complainant and to the Faculty Senate President within fifteen (15) accountability days after the problem-solving meeting. If no decision is rendered within fifteen (15) accountability days after the problem-solving meeting, the Grievance or RoC is automatically forwarded to the next level.</p>	
<p>6.1.2.3. Level 3—Vice Chancellor. If the grievant is not satisfied with the disposition of the grievance at Level 2, grievant may, within fifteen (15) business days of the meeting with the appropriate College President, forward the written grievance and the response received at Level 2 to the Vice Chancellor for Human Resources. If the grievant elects not to forward the grievance in writing within fifteen (15) business days of the meeting with the College President, the grievance will be considered terminated. If no decision is rendered within ten (10) business days of the meeting with the College President, the grievance will be automatically forwarded to the next level. Within five (5) business days, the Vice Chancellor for Human Resources, or</p>		<p>Under proposed policy, the Vice Chancellor for Human Resources (VCHR) will not be a step in the process as he/she has no supervisory authority over a College President.</p>

Current Language	Proposed Language	Comments
<p>designee, will arrange a meeting at a mutually agreeable time and place, such meeting to occur within five (5) business days after the grievant has been notified. The Vice Chancellor for Human Resources, or designee, will issue a written response to the grievant and to the Faculty Senate President within five (5) business days after the meeting.</p>		
<p>6.1.2.4. Level 4—Chancellor. If the grievant is not satisfied with the disposition of the grievance at Level 3, the grievant may, within five (5) business days after receipt of the written decision, forward the written grievance and response to the Chancellor. The Chancellor or designee, will render a written decision within fifteen (15) business days after receipt of the written grievance.</p>	<p>6.3.2.3. Level Four: Chancellor If the grievant or complainant is not satisfied with the disposition of the Grievance or Resolution of Controversy (RoC), the grievant or complainant may, within five (5) accountability days of the decision of the College President, forward the written Grievance or RoC and the response received from the College President, to the Chancellor. The Chancellor has five (5) accountability days to schedule the problem-solving meeting. The actual problem-solving meeting will be held within ten (10) days of scheduling the meeting. The Chancellor will issue a written response to the grievant or complainant and to the Faculty Senate President within fifteen (15) accountability days after the problem-solving meeting. The decision of the Chancellor is final and binding.</p>	<p>Under proposed policy, Grievances or RoCs that begin below the level of the Chancellor, the Chancellor’s decision is final. This aligns the RFP to the action of the Governing Board in December 2014 (delegation of Employee Policy Manuals to the Chancellor).</p>

Current Language	Proposed Language	Comments
<p>6.1.2.5. Level 5—Governing Board. If the grievant is not satisfied with the Chancellor’s decision at Level 4, the grievant may, within five (5) business days, request that the grievance be reviewed by the Governing Board. The Governing Board may, at its option within thirty (30) days after receipt of the written grievance, review the evidence and issue a written decision which shall be final. Should no written decision be rendered within thirty (30) days, the decision at Level 4 is final.</p>		
<p>6.1.3.1. <u>Written Decisions.</u> Decisions rendered at Level 1 that are unsatisfactory to the aggrieved person and all decisions rendered at Levels 2, 3, 4, and 5 of the grievance procedure shall be in writing, setting forth the decision and the reasons therefore, and shall be transmitted promptly to all parties in interest.</p>	<p>Written Decisions Decisions rendered at all levels of the conflict management system shall be in writing, setting forth the decision and the reasons therefore, and shall be transmitted promptly to all parties in interest. Decisions that are unsatisfactory to the aggrieved person may be elevated through the conflict management system.</p>	<p>Updated and moved to §6.2. Core Elements of the Conflict Management System</p>
<p>6.1.3.2. <u>Separate Grievance File.</u> All documents, communications, and records dealing with the processing of a grievance shall be filed in a separate grievance file and shall not be kept in the personnel file of any participant. A member shall have access to all documents pertaining to his/her grievance and may acquire copies of same.</p>	<p>Grievance File All documents, communications, and records dealing with the processing of a formal grievance shall be maintained in a separate grievance file by District Human Resources and shall not be kept in the personnel file of any participant. Tracking and documenting all grievances will be the responsibility of District Human Resources. A</p>	<p>Updated and moved to §6.2. Core Elements of the Conflict Management System</p>

Current Language	Proposed Language	Comments
	member shall have access to all documents pertaining to his/her grievance and shall be provided copies of same.	
<p>6.1.3.3. Meetings and Hearings. All meetings and hearings under this procedure shall be conducted in private and shall include only such parties in interest and their designated or selected representatives.</p>	<p>Meetings for problem-solving All meetings and hearings under this procedure shall be conducted in private and shall include relevant parties, their designated or selected representatives and a facilitator or mediator, if requested. The intent of the conflict management system is to provide confidential resolution of grievances and complaints. However, Governing Board policy and state or federal law may preempt this good-faith intent.</p>	Updated and moved to §6.2. Core Elements of the Conflict Management System
<p>6.1.3.4. If the aggrieved party is the Faculty Association, the grievance will be initiated at the appropriate level, but in no case lower than Level 2.</p>	<p>Grievant A grievant is a faculty member or members covered by the RFP who initiates the Grievance process as described in section 6.3. If the aggrieved party is the College Faculty Senate or District Faculty Association, the Grievance will be initiated at the appropriate level.</p>	Updated and moved to §6.1. Definitions
<p>6.1.3.5. Every effort shall be made to resolve year-end grievances prior to the end of the academic year.</p> <p>6.1.3.7. Time limits provided in this grievance procedure may be extended by mutual</p>	<p>Timelines Timelines may be extended through mutual agreement. Failure of the administration to render a decision within the prescribed timelines automatically elevates the Grievance or RoC to the next level. Failure of the grievant or complainant to elevate the Grievance or RoC within the prescribed timelines ends the process.</p>	Updated and moved to §6.2. Core Elements of the Conflict Management System

Current Language	Proposed Language	Comments
<p>agreement, in writing, between the aggrieved and the administration.</p>	<p>Every effort shall be made to resolve Grievances and RoCs prior to the end of the academic year. Resolution of Grievances and RoCs may require continuation into the next academic year. Such continuation will suspend all procedural timelines until resumption of faculty accountability. In consultation with District Human Resources, the parties may mutually agree to continue during non-accountability periods. Initiation of either process under this section within the prescribed timelines will be deemed sufficient to toll the matter without prejudice to the grievant/complainant.</p>	
<p>6.1.3.6. The aggrieved may not present any issues at Level 2, 3, 4, or 5 not presented at Level 1.</p>	<p>Scope of Grievance or Resolution of Controversy Disputed issues which were not presented in writing at the prior grievance or RoC level may not be asserted at the next higher level.</p>	<p>Updated and moved to §6.2. Core Elements of the Conflict Management System</p>
<p>6.1.3.8. The term “business day” is any day on which the District Support Services Center offices are open for business.</p>		<p>Removed because all days in this section are “accountability” days.</p>
<p>6.1.3.9. The grievance procedures established here may not be the sole and exclusive remedy available to a grievant for resolving disputes arising under this document. It is understood that the subject matter forming the basis of the grievance may also be instituted in an</p>	<p>The grievance procedures established in this section are not the sole and exclusive remedy available to a grievant for resolving disputes arising under this document. It is understood that the subject matter forming the basis of the Grievance or Resolution of Controversy may also</p>	<p>Moved to introductory statement at beginning of Section 6</p>

Current Language	Proposed Language	Comments
administrative action before a governmental board or agency. The provisions of Section 3.8. still apply.	be instituted in an administrative action before a governmental board or agency. The provisions of Section 3.8. still apply.	
<p>6.2. Resolution of Controversy Complainants seeking remedy for issues arising outside this policy manual (interpretation, application, or violation of Board policies that have a direct impact on the terms and conditions of Faculty employment, or decisions of unfair or inequitable treatment in such areas as Instructional Councils) can be appealed for resolution by the following procedures:</p>	<p>6.1. Resolution of Controversy (RoC) All faculty shall be accorded professional and courteous treatment by their colleagues and supervisors. A Resolution of Controversy (RoC) will be available for faculty to resolve workplace conflicts that are not Grievances. This process may be used to resolve issues such as, but not limited to, poor communication, different values, differing interests, scarce resources, and personality clashes. Initiation of a Resolution of Controversy is the procedure by which a complainant may challenge a decision rendered by a supervisor, as defined below.</p> <p>Complainant A complainant is a faculty member or members covered by the RFP who initiates the Resolution of Controversy (ROC) process. If the aggrieved party is the College Faculty Senate or District Faculty Association, the Resolution of Controversy will be initiated at the appropriate level.</p>	<p>Updated definition.</p> <p>Clarified to provide explicit standing for Faculty Senate or the Faculty Association to file a grievance.</p>
<p>A complainant may choose one of two processes: 6.2.1.1. Informal level. Within forty-five (45) business</p>	<p>6.3. Procedures for Grievances or Resolutions of Controversy 6.3.1. Level One: Informal Process</p>	<p>The proposed process aligns the timelines for both grievances and RoCs.</p>

Current Language	Proposed Language	Comments
<p>days of the occurrence of the act or omission giving rise to the Resolution of Controversy or within forty-five (45) business days of the date when the complainant should reasonably have known of the act or omission, the complainant shall present the Resolution of Controversy orally to his/her immediate supervisor. The purpose of bringing the matter to the attention of the immediate supervisor is to resolve the matter at the lowest level.</p> <p>6.2.1.2. The mediation process, as defined in Section 6.3., may be initiated if all parties agree and follow steps outlined in Section 6.3.</p>	<p>Many Grievances or Resolutions of Controversy (RoC) can be efficiently resolved through direct communication or negotiation with colleagues, supervisors or appropriate administrators. Depending upon the specific organizational hierarchy, there may be multiple supervisory levels to attempt to resolve the Grievance or RoC prior to escalating the conflict to the formal level. These may include, but are not limited to Occupational Program Directors, Division/Department Chairs, or Deans. By mutual agreement all supervisory levels may meet during the informal step to resolve the issues in a single meeting and parties may request a neutral facilitator or mediator (see RFP 6.x) to assist in the discussion.</p> <p>Within twenty-five (25) accountability days of the occurrence of the act or omission giving rise to the Grievance or RoC or within twenty-five (25) accountability days of the date when the grievant or complainant should reasonably have known of the act or omission, the employee shall present the Grievance orally to his/her immediate supervisor. For a Grievance, the grievant shall cite the specific section of the RFP or</p>	<p>The intent of the Informal Process is to provide sufficient opportunities to resolve conflicts at an informal level. The proposed process would require problem-solving meetings, which may, by request, be facilitated or mediated.</p>

Current Language	Proposed Language	Comments
	<p>Administrative Regulation which has allegedly been misapplied, misinterpreted, or violated. For a RoC, the complainant shall specify the nature of the complaint. The purpose of bringing the matter to the attention of the immediate supervisor is to resolve the matter at the lowest level.</p> <p>The supervisor or administrator has five (5) accountability days to schedule the problem-solving meeting. The actual problem-solving meeting will be held within ten (10) days of scheduling the meeting. A decision will be rendered within five (5) accountability days of the problem-solving meeting. The decision will be rendered in writing to the grievant or complainant.</p> <p>If other levels of supervision before Level One of the Formal Process (Appropriate Vice President) exist and are appropriate, then the grievant or complainant is required to informally proceed to the next level. The timeline noted above will be followed by both parties. By mutual agreement all supervisory levels may meet during Level One to resolve the issues in a single meeting.</p>	
6.2.2. Formal Level	6.3.2. Formal Process 6.3.2.1. Level Two: Appropriate Vice President	

Current Language	Proposed Language	Comments
<p>6.2.2.1. Level 1—Appropriate Vice President. If the complainant is not satisfied with the disposition of the Resolution of Controversy at the informal level or if no decision has been rendered within five (5) business days after the informal meeting, the complainant may file the original Resolution of Controversy, in writing, within seven (7) business days with the Vice President who is the immediate supervisor of the person to whom the Resolution of Controversy was taken at the informal level. (If the complainant’s immediate supervisor at the informal level reports directly to the College President, this step in the Resolution of Controversy process can be omitted.) Within ten (10) business days after receipt of the written Resolution of Controversy, the appropriate Vice President and the complainant will meet in an attempt to resolve the Resolution of Controversy.</p>	<p>If the grievant or complainant is not satisfied with the disposition of the alleged Grievance or Resolution of Controversy (RoC) at the informal level, the grievant or complainant may file a Grievance or RoC, in writing, within ten (10) accountability days with the Vice President who is the immediate supervisor of the person to whom Grievance or RoC was taken at the informal level. If the grievant or complainant elects not to file the Grievance or RoC in writing within ten (10) accountability days, the Grievance or RoC will be considered terminated.</p> <p>The Vice President has five (5) accountability days to schedule the formal meeting. The actual problem-solving meeting will be held within ten (10) days of scheduling the meeting. A written decision will be rendered within fifteen (15) accountability days of the problem-solving meeting. If no decision is rendered within fifteen (15) accountability days after the problem-solving meeting, the Grievance or Resolution of Controversy is automatically forwarded to the next level.</p>	
<p>6.2.2.2. Level 2—College President. If the complainant is not satisfied with the disposition of the Resolution of Controversy</p>	<p>6.3.2.2. Level Three: College President If the grievant or complainant is not satisfied with the disposition of the Grievance or</p>	

Current Language	Proposed Language	Comments
<p>at Level 1, or if no written decision has been rendered within ten (10) business days, the complainant may, within fifteen (15) business days of the meeting with the appropriate Vice President, forward the written Resolution of Controversy and the response received at Level 1 to the College President. Within five (5) business days, the College President, or designee, will arrange a meeting at a mutually agreeable time and place, such meeting to occur within five (5) business days after the complainant is notified. The College President will issue a written response to the complainant and to the Faculty Senate President within five (5) business days after the meeting.</p>	<p>Resolution of Controversy (RoC), the grievant or complainant may, within five (5) accountability days of the decision of the appropriate Vice President, forward the written Grievance or RoC and the response received from the Vice President, to the College President. If the grievant or complainant elects not to forward the Grievance or RoC in writing within five (5) accountability days of the meeting with the Vice President, the Grievance or RoC will be considered terminated.</p> <p>The College President has five (5) accountability days to schedule the problem-solving meeting. The actual problem-solving meeting will be held within ten (10) days of scheduling the meeting. The College President will issue a written response to the grievant or complainant and to the Faculty Senate President within fifteen (15) accountability days after the problem-solving meeting. If no decision is rendered within fifteen (15) accountability days after the problem-solving meeting, the Grievance or RoC is automatically forwarded to the next level.</p>	
<p>6.2.2.3. Level 3—Vice Chancellor. If the complainant is not satisfied with the disposition of the Resolution of Controversy</p>		<p>Under proposed policy, the Vice Chancellor for Human Resources (VCHR) will not</p>

Current Language	Proposed Language	Comments
<p>at Level 2, or if no written decision has been rendered within ten (10) business days, the complainant may, within fifteen (15) business days of the meeting with the appropriate College President, forward the written Resolution of Controversy and the response received at Level 2 to the Vice Chancellor for Human Resources. Within five (5) business days, the Vice Chancellor for Human Resources, or designee, will arrange a meeting at a mutually agreeable time and place, such meeting to occur within five (5) business days after the complainant has been notified. The Vice Chancellor for Human Resources, or designee, will issue a written response to the complainant and to the Faculty Senate President within five (5) business days after the meeting.</p>		<p>be a step in the process as he/she has no supervisory authority over a College President.</p>
<p>6.2.2.4. Level 4—Chancellor. If the complainant is not satisfied with the disposition of the Resolution of Controversy at Level 3, the complainant may, within five (5) business days after receipt of the written decision, forward the written Resolution of Controversy and response to the Chancellor. The Chancellor or designee, will render a written decision within fifteen (15) business days after receipt of the written Resolution of</p>	<p>6.3.2.3. Level Four: Chancellor If the grievant or complainant is not satisfied with the disposition of the Grievance or Resolution of Controversy (RoC), the grievant or complainant may, within five (5) accountability days of the decision of the College President, forward the written Grievance or RoC and the response received from the College President, to the Chancellor. The Chancellor has five (5) accountability days to schedule the problem-</p>	<p>Under proposed policy, Grievances or RoCs that begin below the level of the Chancellor, the Chancellor’s decision is final. This aligns the RFP to the action of the Governing Board in December 2014 (delegation of Employee</p>

Current Language	Proposed Language	Comments
Controversy.	solving meeting. The actual problem-solving meeting will be held within ten (10) days of scheduling the meeting. The Chancellor will issue a written response to the grievant or complainant and to the Faculty Senate President within fifteen (15) accountability days after the problem-solving meeting. The decision of the Chancellor is final and binding.	Policy Manuals to the Chancellor).
<p>6.2.2.5. Level 5—Governing Board. If the complainant is not satisfied with the Chancellor’s decision at Level 4, the complainant may, within five (5) business days, request that the resolution of controversy be reviewed by the Governing Board. The Governing Board may, at its option within thirty (30) days after receipt of the written Resolution of Controversy, review the evidence and issue a written decision which shall be final. Should no written decision be rendered within thirty (30) days, the decision at Level 4 is final.</p>		

Current Language	Proposed Language	Comments
<p>6.2.3. College-level appeal will involve the Faculty Senate President and shall start at the level next higher than the person involved in the decision in question.</p> <p>6.2.4. If the decision under appeal was made at the highest College level, the process will move to the District level.</p> <p>6.2.5. District-level appeal will involve the District Faculty Association President and Council of Presidents.</p>		Moved to §6.1. Definitions
<p>6.3. Informal Resolution and Mediation</p> <p>6.3.1. All Faculty shall be accorded treatment by their supervisors in a manner befitting the professionalism of all parties. In the interest of collegial relations, an issue may be resolved either through informal resolution or, thereafter, mediation before entering into the formal level of the grievance process as set forth in Section 6.1.2. or the escalated procedures set forth in Section 6.2.</p> <p>To initiate this process, a party must contact the Faculty Senate President, the Department/Division Chair, or the appropriate Vice President.</p>	<p>Resolution of Controversy (RoC) All faculty shall be accorded professional and courteous treatment by their colleagues and supervisors. A Resolution of Controversy (RoC) will be available for faculty to resolve workplace conflicts that are not Grievances. This process may be used to resolve issues such as, but not limited to, poor communication, different values, differing interests, scarce resources, and personality clashes. Initiation of a Resolution of Controversy is the procedure by which a complainant may challenge a decision rendered by a supervisor, as defined below.</p>	Moved to §6.1. Definitions

Current Language	Proposed Language	Comments
<p>6.3.1.1. Informal Resolution Process Informal resolution shall consist of an arranged meeting with all relevant individuals, <i>i.e.</i>: the parties involved, the appropriate Department/Division Chair, the appropriate Vice Presidents(s), and the Faculty Senate President or his/her designee.</p>		Moved to §6.3. Procedures for Grievances or Resolutions of Controversy
<p>6.3.1.2. Mediation Process If all parties agree to mediate, the Faculty Senate President or other college senate officer will request that the Office of the Vice Chancellor for Human Resources contact the mediation service. The Mediator (trained, certified, and neutral) will mediate, conciliate, and coordinate communication among disputing parties.</p>		Moved to §6.5. Mediation Process
<p>6.3.2. No Faculty member shall be disciplined, reprimanded, suspended, or reduced in assignment or compensation without just cause.</p>	<p>Just Cause No faculty member shall be disciplined, reprimanded, suspended, or reduced in assignment or compensation without just cause.</p>	Moved to §6.2. Core Elements of the Conflict Management System
<p>6.3.3. When any Faculty member is required by the College President to appear before the Chancellor, Governing Board, or any committee thereof, concerning any matters that could adversely affect employment, he/she shall be entitled to select a representative and/or to have legal counsel present to advise and/or represent</p>	<p>Representation A faculty member may be accompanied by another employee, such as the Faculty Senate President, to meetings under this policy. The employee will be provided time to attend the meetings. When any faculty member is required by the College President to appear before the Chancellor, Governing Board, or any committee</p>	Updated and moved to §6.2. Core Elements of the Conflict Management System

Current Language	Proposed Language	Comments
him/her during such meetings or interviews.	thereof, concerning any matters that could adversely affect employment, he/she shall be entitled to select a representative and/or to have legal counsel present to advise and/or represent him/her during such meetings.	
<p>6.6.4. Retaliation or retribution by a Faculty member against any person who files a complaint may result in disciplinary action up to and including termination. Similarly, if the investigator determines that the complaint is materially false and that it was made in bad faith, the complaining party may be subject to disciplinary action up to and including termination or expulsion.</p>	<p>Retaliation Faculty and administration are prohibited from retaliating against any individual for using the conflict management system. Retaliation or retribution by any employee against any person who files a complaint may result in disciplinary action up to and including termination. Similarly, if it is determined that the complaint is materially false and that it was made in bad faith, the complaining party may be subject to disciplinary action up to and including termination or expulsion. Any employee who believes that retaliation is occurring shall report such actions to Human Resources.</p>	<p>Updated and included in §6.2. Core Elements of the Conflict Management System</p> <p>Original language retained in §6.6.4.</p>