

Applies to: Staff

## POLICY

The College recognizes that disputes may arise in the employment setting. Parties involved in a dispute are encouraged to seek informal resolution. It is management's responsibility to facilitate fair and impartial resolution of disputes. In the event informal resolution is not successful, staff may pursue a formal resolution process.

The following matters are excluded from this process: corrective actions/terminations issued by the College, classification determinations by the Office of Human Resources, and complaints of discrimination.

Dispute resolution for full-time faculty will be in accordance with the grievance procedure included in the Collective Negotiations Agreement between Central Ohio Technical College and the United Faculty/Central Ohio Technical College, AFT/OFT.

## Definitions

Term	Definition
Employment dispute	An unresolved issue concerning interpretation and/or application of workplace policy, practice, or procedure.

## PROCEDURE

### I. Employment Disputes & Resolution

#### A. Informal resolution

1. Staff are encouraged to bring employment disputes to the attention of their supervisor as soon as possible and may also seek resolution with other appropriate individuals, including the appropriate senior-level administrator.
2. Supervisors are expected to make good-faith efforts at fair and impartial resolution.
3. At any point in this process, the staff member or supervisor may enlist Human Resources to assist parties in reaching a resolution.
4. The informal resolution process may continue until either party or the Office of Human Resources, decides informal resolution is impossible.

#### B. Formal resolution

1. Using the Employment Dispute Form, the employee will present the complaint in writing to his or her immediate supervisor or the Human Resource Director within five (5) working days after the occurrence of the event giving rise to the grievance or after the event became known or should have become known to the employee. The supervisor will consult with the next-line supervisor. The next-line supervisor should answer the grievance in writing within three (3) working days. The next-line supervisor will review the issues with the appropriate individuals, make a determination, and respond to the parties in writing within 5 calendar days of the scheduled meeting.
2. If the employee is dissatisfied with the response from Step 1, or if no written answer is rendered on a timely basis, the employee may file a written request on the Employment Dispute form for review with the appropriate senior-level administrator

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within ten (10) working days of receipt of the Step 1 response or failure to supply a timely answer. In cases where the next-line supervisor and the senior-level administrator are one and the same, the grievance will skip step 2 and move directly to step 3, the president.

3. If the employee is dissatisfied with the decision of the senior-level administrator (step 2), or if no written decision is rendered by the senior-level administrator, on a timely basis, or if the step 1 grievance was heard by the senior-level administrator as the next-line supervisor, then the employee may, within five (5) working days of said answer or failure to answer, or of receiving the step 1 response from the senior-level administrator who was the next-line supervisor, submit an appeal to the President in writing using the Employment Dispute Form. The president, or the president's designee, must meet with the employee within ten (10) working days of receipt of the appeal. The president, or designee, will answer the appeal in writing within five (5) working days of the meeting. The decision of the president, or designee, will be final.
4. The failure of any College representative to take action within the time limits set forth herein will be deemed as a denial of the grievance and the grievance will move on to the next step in the process.
5. No grievance will be entertained or processed unless it is commenced in Step 1 within five (5) working days after the occurrence of the event giving rise to the grievance or within five (5) working days after the event became known or should have been known to the employee(s). If a grievance is not initiated or appealed within the time frames set forth above, any further privileges will be waived. The time limits may be extended by mutual agreement of the parties, in writing only.

#### **C. Confidentiality**

The Office of Human Resources will treat as confidential all information received in connection with the complaint process to the extent that it is feasible in the course of the investigation and legally is possible. Parties to a complaint will be expected to be discreet and show respect for all individuals.

#### **D. Retaliation Prohibited**

College policy and state and federal law prohibit retaliation against an individual for reporting complaints of discrimination, or for participating in the employment dispute resolution process or an investigation. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the complaint of discrimination.

#### **E. Recordkeeping**

Any person conducting an investigation, whether formal or informal, will maintain a written record of witness interviews, consent provided, evidence gathered, and outcome. Records of such investigation will not be maintained in personnel files or student files unless part of formal corrective action. The Office of Human Resources will maintain investigatory records in accordance with record retention schedules. If a complaint is filed outside the College, information gathered in the course of the internal investigation may be disclosed to the investigating agency.

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## Responsibilities

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Position, or Office	List of Responsibilities
Staff Member	<ul style="list-style-type: none"> <li>A. Staff members with complaints should seek informal resolution of workplace issues at the lowest possible level. Staff should attempt to meet with the appropriate supervisor and discuss the issues and possible remedies.</li> <li>B. Staff members are encouraged to seek consultation and assistance from the Office of Human Resources for help to resolve conflicts.</li> <li>C. If an issue is not resolved, staff may file a formal complaint. An Employment Dispute Form for filing purposes is available from the Office of Human Resources.</li> </ul>
Supervisors and senior-level administrators	<ul style="list-style-type: none"> <li>A. Supervisors should attempt timely resolution of workplace issues and involve the Office of Human Resources if assistance is desired.</li> <li>B. If a formal grievance is filed, supervisors should consult with the Office of Human Resources. Administrators should conduct hearings and provide decisions in a timely manner.</li> </ul>
Office of Human Resources	<ul style="list-style-type: none"> <li>A. Assist in resolution of issues by providing advice and mediation assistance whenever possible.</li> <li>B. Direct formal step 1 grievances that are filed with the Director of Human Resources to the appropriate senior-level administrator.</li> </ul>

### Resources

- [Employment Dispute Form](#)

### Contacts

Individual or Office	Office	Telephone	E-mail/URL
Human Resources	1011 Hodges Hall	740-366-9367	<a href="#">Human Resources - COTC</a>

### History

Issued: 03/19/1996  
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