

## **Procedure for Reporting Employee or Applicant Complaint of Discrimination**

BGMU has adopted procedures to promptly and fairly address concerns and complaints about discrimination. Any employee or applicant who believes that he or she may have experienced discrimination should report this complaint as soon as possible to the General Manager, the Human Resources Director, or any Department Head.

Reports or complaints shall be made as soon as possible after the alleged conduct occurs. Prompt reporting will enable BGMU to investigate the facts, determine the issues, and provide an appropriate remedy or disciplinary action. Reports or complaints received by those individuals listed above must in turn be immediately reported to the Human Resources Director to review and investigate the complaint.

### **Procedures for Investigation and Resolution of Complaints**

BGMU has adopted procedures to promptly and fairly address concerns and complaints about harassment or discrimination. All complaints will be addressed as confidentially as possible, considering the specific circumstances of the allegations, to protect the rights of both the complainant and the person accused. Information may be gathered from any source deemed necessary in an effort to fully investigate and resolve the complaint. Complaints may be made informally or formally.

All complaints, whether made informally or formally, involving the General Manager will be submitted to the Chairman of the Board. The Board shall designate one or more persons to conduct such investigations or hearings as the Board deems appropriate and who will issue a report including recommendations to the Board. A copy of the report will be provided to the complainant and the General Manager within such time frames as established by the Board. After receipt of the report, the Board shall take whatever action, disciplinary or otherwise, it deems appropriate.

### **Informal Complaint and Resolution Process**

An employee who feels he or she has been experienced discrimination may desire to resolve the complaint informally. The goal of the informal complaint process is to resolve the concerns at the earliest point possible with the cooperation of all parties involved. The information process may include an inquiry into the facts, but typically does not involve a formal investigation. The informal process shall be flexible and encompass a full range of possible appropriate outcomes. The informal process includes options such as counseling regarding the conduct, negotiating an agreement for disciplinary action, or referring alleged offender to education and training programs.

Any persons making informal complaints agree and understand that no formal disciplinary action will be taken against the alleged offender based on an informal complaint. A complainant who chooses not to proceed with a formal complaint may be asked to state that preference in writing as well their understanding that no formal disciplinary action will be taken.

Attempts to resolve an informal complaint will be completed within thirty (30) days from the date of receipt of the complaint by the Human Resources Director. The complainant and the alleged offender will be informed in writing of the outcome of the informal process.

Some reports of discrimination may not be appropriate for informal resolution and may require a formal investigation and resolution. BGMU will attempt to balance the wishes of a complainant who does not want to file a formal complaint with BGMU's responsibility to respond to serious allegations and take prompt, appropriate corrective action.

Thirty days (30) after the informal complaint is resolved, the Human Resources Director will conduct a follow-up review to assure that the resolution has been implemented effectively and there are no other concerns by the complainant.

### **Formal Complaint and Resolution Process**

Employees making a formal complaint must do so in writing to one of the reporting officials as soon as possible after the alleged incident occurred or after attempts to resolve the situation informally have been unsuccessful. The formal complaint must be in writing, signed by the complainant, and shall include the following information:

1. Details concerning the incidents or conduct giving rise to the complaint;
2. Date and location of incident(s);
3. Any witnesses to the alleged incidents or conduct;
4. Action requested to resolve the complaint and prevent future violations of the policy.

The alleged offender will be provided with a copy of the complaint by the Human Resources Director within five (5) business days of receipt of said complaint. The alleged offender will be required to submit a written response to the complaint within five (5) business days of receipt of a complaint, a copy of which will be provided to the complainant by Human Resources Director

The Human Resources Director, or another qualified party designated by the Human Resources Director, will interview the complainant and the alleged offender, and may also interview witnesses and/or any other persons who may have information about the alleged discrimination, and may review personnel or other records relevant to the complaint. The complainant and the accused shall be permitted to suggest witnesses and/or other evidence, which shall be considered during the investigation.

Within thirty (30) days of receiving the formal written complaint, the Human Resources Director will present the findings to the General Manager and the appropriate Department Head. The General Manager will review the findings and will assess whether a violation of this policy has occurred. The General Manager will submit findings in writing to the complainant and the person accused. If the General Manager determines that the alleged discrimination occurred, disciplinary action will be taken against the alleged offender. Appropriate discipline may range from an oral reprimand up to and including termination for cause, or any other appropriate remedial action.

The right of a person to a prompt and equitable resolution of the complaint filed pursuant to this policy will not be impaired by the person's pursuit of other remedies such as filing a complaint with the EEOC. Utilization of this complaint procedure is not a prerequisite to the pursuit of other remedies

#### **Non-Retaliation**

This policy also prohibits retaliation against applicants or employees who, in good faith, make a complaint or participate in the complaint process. Violations of this non-retaliation policy will result in disciplinary action up to and including termination of employment.