

## **GRIEVANCE PROCEDURE**

The following grievance procedure may be used to provide prompt and equitable resolution of patron and employee complaints of discrimination and harassment based on race, color, national origin, sex, age and handicap/disability. Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 require that systems adopt grievance procedures and designate compliance coordinators. Sections A and B may also be used to resolve grievances and complaints of a more general nature.

### **A. EMPLOYEES**

1. The employee will discuss the problem with his supervisor.
2. If the problem cannot be resolved with the supervisor, the employee will then meet with the affiliated library manager.
3. If the problem cannot be resolved at the library manager level, it will be presented to the county Board of Trustees, with any action taken subject to the approval of the Regional Board.

### **B. PATRONS**

1. The patron will discuss the problem with a library employee.
2. If the problem cannot be resolved with a library employee, the complaint will be referred to the affiliated library manager.
3. If the problem cannot be resolved at the library manager level, it will be presented to the county Board of Trustees, with any action taken subject to the approval of the Regional Board.
4. Obviously, library staff will not always be able to control actions in the rare instances where the problem may be between patrons. In some cases, the problem may be referred to outside agencies if this becomes necessary. It is, however, still a violation of library policy for one patron to harass another patron, sexually or in other ways.

### **C. DEFINITIONS**

1. Discrimination Complaint: A written or oral complaint alleging any policy, procedure or practice which discriminates on the basis of race, color, national origin, sex, age, or handicapping/disabling condition.
2. Harassment Complaint: A written or oral complaint related to comments or conduct of supervisors, coworkers, or patrons which interferes with an

employee's performance or threatens an employee's or patron's sense of well-being in the work or educational environment.

3. Patron Grievant: A library user of any member library of the Northeast Georgia Regional Library System who submits a complaint alleging discrimination or harassment based on race, color, national origin, sex, age, or handicapping/ disabling condition.

4. Employee Grievant: An employee of any member library of the Northeast Georgia Regional Library System who submits a complaint alleging discrimination or harassment based on race, color, national origin, sex, age, or handicapping/disabling condition.

5. Equity Coordinator: The person designated to coordinate compliance activities in regard to all civil rights laws and regulations affecting the agency. At each library in the Northeast Georgia Regional Library System, the Equity Coordinator shall be the Library Manager. At the Regional Services Office, the Equity Coordinator shall be the System Services Director.

6. Respondent: The person alleged to be responsible for the violation described in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

7. Day: Day means a working day. The calculation of days in complaint processing shall be based on days of library operation.

#### **D. PRE-FILING PROCEDURES**

Prior to the filing of a written complaint, the patron or employee is encouraged to visit with the respondent's supervisor and to make a reasonable effort to resolve the problem or complaint. If the complaint cannot be resolved by the supervisor, the patron or employee is encouraged to visit with the Equity Coordinator and to make a reasonable effort to resolve the problem or complaint. If these measures are not successful in resolving the problem or complaint, the patron or employee should file a written complaint.

#### **E. FILING & PROCESSING DISCRIMINATION - HARASSMENT COMPLAINTS**

1. Grievant submits a written complaint to the Equity Coordinator stating the grievant's name, nature and date of alleged violation, names of persons responsible (where known), and requested action. Complaint must be submitted within 30 days of alleged violation. The complaint should be signed by the grievant or his or her designee.

2. The Equity Coordinator contacts respondent within 10 days and asks respondent to:

- a. confirm or deny facts;
  - b. indicate acceptance or rejection of patron's or employee's requested action; or
  - c. outline alternatives.
3. Respondent submits answer within 10 days to Equity Coordinator.
4. The Equity Coordinator within 10 days after receiving respondent's answer issues a written decision to the patron or employee.
5. If the grievant or respondent is not satisfied with the Equity Manager's decision, she/he must notify the Equity Coordinator within 10 days and request a hearing.
6. The Equity Coordinator shall notify the executive committee of the appropriate board.
7. The Equity Coordinator within 10 days schedules a hearing with the grievant and the respondent.
8. Hearing is conducted.
9. The Equity Manager issues a decision within 10 days following the hearing.
10. If the grievant or respondent is not satisfied with the Equity Manager's decision, he/she must notify the appropriate library board within 10 days and request a hearing with that board.
11. A board hearing is conducted.
12. The board issues a final written decision within 10 days regarding the validity of the grievance and any action to be taken.

## **F. GENERAL PROVISIONS**

1. Extension of Time: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date that the complaint is filed until the complaint is resolved shall be no more than 90.
2. Access to Regulations: The member libraries of the Northeast Georgia Regional Library System shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, sex, age, handicapping/disabling conditions upon request.
3. Confidentiality of Records: Complaint records will remain confidential unless permission is given by the parties involved to release such information. No

complaint record shall be entered in the personnel file unless the respondent is deemed to have committed discrimination or harassment. Complaint records shall be maintained on file for three years after complaint resolution.

This procedure was adopted by the Regional Board in regular session on October 24, 1989. It should be remembered that the Regional Board, at the same meeting, delegated all activity for personnel to the County Boards, except for Regional Services Personnel, although the Regional Board remains the responsible governing body.