

# **DGBA (REGULATION):**

## **Procedures for a Sexual Harassment/Discrimination Grievance Hearing**

### **Pre-Hearing Procedures**

- Notice of grievance is received.
- Must be submitted to Human Resources (HR) in writing.
- Grievance calendar is created with vital dates.
- Interviews should begin within 5 business days.
- Copy all relevant paperwork and share with Respondent and schedule formal hearing. Give both grievant and respondent notice of date to file paperwork for hearing.
- Let both sides know that they can use representation. However, if representation is an attorney, advance notice must be given so that opposition can also be represented by attorney.

### **Hearing Procedures**

- The hearing is conducted by a Hearing Administrator (Human Resources representative or designee).
- Hearing Officer is selected:
  - If both parties are below the Dean/AVP/ExDir level, the Hearing Officer is randomly selected Dean, AVP or ExDir from an area not involved in the grievance.
  - If one of parties is at the Dean/AVP/ExDir level, the Hearing Officer is randomly selected VP from an area not involved in the grievance.
  - If one of the parties is a VP level, the Hearing Officer is the President.
- The Hearing Officer (or designee) conducts an investigation examining evidence and interviewing witnesses.
- The Hearing Officer will personally interview (separately) the grievant and the respondent.
- The investigation/hearing should not take more than fifteen (15) business days.
- Within five (5) business days of the interviews, the Hearing Officer will render a decision in a written report.

### **Appeals Hearing Procedures**

- Appeals of the Hearing decision must be made within fifteen (15) business day in writing to HR.
- If the Hearing Office is a Dean/AVP/ExDir, the Appeals Officer is a Vice President (VP) whose area is not involved in the grievance.
- If the Hearing Office is a VP, the Appeals Officer is the President.
- Unless exceptional circumstances exist, all appeals are a review of the paper record of the Primary Hearing.
- The VP or President will meet (separately) with the Grievant and the Respondent within 15 business days.
- The VP or President has fifteen (15) days to file a written report justifying decision.
- The VP or President's decision is final and not appealable.