
PROCEDURE

Series:	Human Resources Satisfaction & Retention	COA: 4.02, 5.02
Procedure Name:	Employee Grievance Policy	CFOP:
Procedure Number:	HR 2805	
Reviewed Date:	12/1/15	
Revision #/Date:	(1) 03/08, (2) 01/09, (3) 02/13, (4) 11/11/13, (5) 4/3/19	
Effective Date:	September 2004	
Applicable to:	Employees, temporary staff, volunteers of The Brevard Family Partnership Family of Agencies (BFP FOA)	

PURPOSE: To provide a process for employees and other applicable individuals to bring forward concerns or complaints of workplace issues, inappropriate treatment, harassment in any form or feelings of discomfort in direct violation of agency policies, procedures and all applicable state and federal laws governing the employment and workplace practices.

References: HR 2801, Open Communication, HR 2803, Employee Satisfaction and Retention, HR 2802 Employee Recognition Program, BFP GOV-011 Governance Model

Internal Complaints:

Step One:

In many instances an open discussion with the employee's immediate supervisor can serve to resolve a concern or complaint. Depending on the nature of the issue, this may resolve the concern and no further action may be required. However, if the employee does not believe a discussion with the immediate supervisor is appropriate, or the concern or complaint involves the immediate supervisor, the employee may take your concern to the next level of management with whom the employee is comfortable sharing. When an employee does not feel comfortable going to the immediate supervisor or the Human Resources Manager, Insperty, the Professional Employer Organization (PEO), may be directly and confidentially contacted for all BFP FOA. This meeting will serve to surface the concern and may result in numerous options for consideration. This meeting is documented for the record.

Step Two:

If a problem needs to be escalated due to a potential violation of agency policy, such as harassment, a hostile environment, retaliation, discrimination or related acts, this must be reported directly to the Human Resources Manager. It is recognized that if employees prefer to maintain confidentiality when raising certain concerns, this will be honored to the greatest extent possible. However, no employee should fear coming forward to express concerns. BFP FOA encourages all employees to support and share in the commitment of ensuring a positive, productive work environment. This is a responsibility in which everyone must actively participate.



The agencies do not tolerate any form of retaliation against employees availing themselves of this procedure. Allegations of retaliation will be investigated immediately and completely. If it is determined that retaliation did take place, immediate disciplinary action will be taken. The BFP FOA, in its sole discretion, determines the appropriate disciplinary action in each instance.

Step Three:

An investigation of the alleged violation or complaint will be conducted by the Human Resources Manager in as confidential manner as possible to protect the privacy of the persons involved. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances. In pursuing the investigation, the wishes of the complainant will be respected to the extent possible, but not to the point where the investigation may become compromised. The person alleged to be in violation of agency policies and expectations will be made aware of the complaint and will be given the opportunity to respond and to present witnesses if applicable. During this time, the Human Resources Manager will keep the complainant informed as to the status of the investigation.

While the investigation is progressing, the employee being investigated may be placed on paid administrative leave, as determined by the CEO, not to exceed 10 business days. The Human Resources Manager and immediate supervisor will inform the employee that he or she has been placed on administrative leave.

The BFP FOA addresses any complaint in a timely manner once informed. It is expected that the investigation begins immediately upon notice and that the process will be concluded at the earliest possible opportunity. Based on the nature of the complaint, the number of investigation interviews that may be required and staff schedules the process should not exceed 10 business days.

Upon completing the investigation, the Human Resources Manager will provide an executive summary to the Chief Executive Officer, Vice President of Operations and make a recommendation based on the outcome of the investigation. If it is concluded, based on the facts of the investigation and other factors, that a violation of any agency policy has occurred, the offending employee will be subject to appropriate disciplinary action up to and including termination.

At the conclusion of the investigation, the Human Resources Manager will meet with the employee who brought the complaint or concern. The employee will be provided with a written notification of the resolution and an explanation of any further appeal, rights or recourse.

If at the conclusion of the investigation the complaint or allegation can not be substantiated this finding will be shared with the complainant in an appropriately sensitive manner. The complainant is always free to provide additional evidence which will also be investigated.

If as a result of the investigation, the agency will impose disciplinary action, the employee will only be informed that the concerns raised were validated through the process and that appropriate actions will be taken. The specific actions will not be shared with the employee who brought the complaint.



If any party directly involved in a claim and/or investigation is dissatisfied with the outcome or resolution that individual has the right to appeal the decision. The appeal should be provided in writing within ten (10) business days to the Chief Executive Officer, Vice President of Operations and the appropriate Executive team member.

The Chief Executive Officer, Vice President of Operations and the appropriate Executive team member will review the appeal and will issue a final response within ten (10) business days, or if out of the office, within ten (10) business days of return.

Employment conditions of the offended party and witnesses, if any, will in no way be adversely affected through the use of this Grievance Procedure, subject to falsification of a claim (see below).

Individuals found to have engaged in misconduct constituting harassment or other violations of policies will be disciplined up to and including termination of employment.

If an investigation results in a finding that the complainant falsely accused another of harassment or other violation of policy knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions including the possibility of discharge.

All notes, records, documentation of interviews and actions taken will be maintained in a separate personnel file with the final resolution and any additional written appeals and actions taken.

In addition, per BFP GOV-011 Governance Model Policy, while the HR procedure provides for the Chief Executive Officer as the final determination in addressing an employee concern, no employee is prohibited from contacting the agency's Board of Directors when (a) the internal grievance procedure has been exhausted and (b) the employee alleges that either a Board Policy has been violated to his or her detriment or a Board Policy does not adequately protect his or her human rights.

An applicant or employee may also file a complaint with the Florida Commission on Human Relations (FCHR), 4075 Esplanade Way, Suite 110, Tallahassee, FL 32399 or by calling (850) 488-7082 within 365 days of the allegation, or with the Department of Children & Families Office of Civil Rights at 1317 Winewood Blvd., Tallahassee, FL 32399-0700 within 365 days of the alleged violation. Complaints can also be filed with the United States Equal Employment Opportunity Commission (EEOC) at, 100 SE 2nd Street, Suite 1500, Miami FL 33131 or by calling (800) 669-4000 within 300 days of the alleged violation.

This procedure should not be construed as in any way limiting, delaying or preventing the agencies from taking disciplinary action against any employee, up to and including termination, in circumstances involving actions of gross misconduct, fraud, falsification of records, a violation of company policies or those where the company deems such disciplinary action appropriate.



Brevard C.A.R.E.S.



Family Allies

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

A handwritten signature in blue ink that reads "Philip J. Scarpelli".

PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 2/7/2020