

PERSONNEL COMMISSION

SANTA MONICA COLLEGE

MERIT RULES CHAPTER XVI

Chapter 16 Revisions Approved by the Personnel Commission on October 19, 2016.

## **CHAPTER XVI -- COMPLAINT PROCEDURES**

### **Rule 16.1                      COMPLAINT PROCEDURES FOR CLASSIFIED PERSONNEL**

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CHAPTER  
XVI

COMPLAINT PROCEDURES

Rule 16.1

COMPLAINT PROCEDURES FOR CLASSIFIED  
PERSONNEL

16.1.1

PURPOSE OF THE COMPLAINT PROCEDURE

- A. The Complaint Procedure is the medium through which permanent classified employees may bring complaints arising out of alleged violations of the Merit Rules. Because complaints should be resolved in a prompt and orderly manner, various steps and time limits have been established to assist in resolution at the administrative level closest to the employee and to minimize delays. It shall be the obligation of the aggrieved employee to cooperate in this process by making known the existence of his/her complaint at the earliest possible date so that efforts can be made through the complaint procedure to resolve differences and promote harmonious relationships.

16.1.2

MATTERS EXCLUDED

- A. Matters excluded from the complaint procedure shall be:
1. Matters which are part of a collective bargaining agreement (union contract covering classified employees) . Such matters shall be processed according to the grievance procedures of the applicable collective bargaining agreement.
  2. Accusatory charges relating to the moral or professional fitness of an employee. Such charges shall be submitted to the Superintendent.
  3. Matters covered by other procedures documented within the Merit Rules.

### 16.1.3

#### GENERAL PROCEDURES

- A. A complaint shall be filed with the Director of Classified Personnel within 30 calendar days of the occurrence of the event giving rise to the complaint, or within 30 calendar days of the complainant's knowledge of the event.
- B. The complaint shall be filed in writing.
- C. The Director of Classified Personnel shall review any complaint to determine if the matter is within the jurisdiction of the Commission. If the complaint should be processed under some other procedure of the Commission, the Director of Classified Personnel shall notify the complainant in writing of the correct procedure to follow. If the complaint concerns a matter not within the jurisdiction of the Commission, the Director of Classified Personnel shall notify the complainant in writing of this finding.
- D. Complaints within the jurisdiction of the Commission shall be investigated by the Director of Classified Personnel. Appropriate action shall be taken in response to the complaint. The Director of Classified Personnel shall provide the Commission with a report of any action taken on a complaint.
- E. The complainant shall receive a written response to the complaint within 30 calendar days. The Director of Classified Personnel may extend the time for response if more time is needed to conduct the investigation.
- F. The Director of Classified Personnel may bring any complaint to the Commission for resolution.
- G. The resolution of a complaint by either the Director of Classified Personnel or the Commission shall be final and there shall be no further appeal or review.

- H. No reprisal, discrimination, or reduction in status shall be invoked against any employee for having instituted complaint procedures, or for having participated as a representative, conferee, or witness.
  
- I. All documents, communications, and records used in processing a complaint shall be filed separately from personnel files of the participants.