

# Employee Grievance Policy

The initial approach to settling any issue is open communication. An employee should first seek to resolve any complaint with the party(ies) involved through conflict resolution steps and then, if necessary, their immediate supervisor through informal discussion. If such discussion does not resolve the matter, then the employee may initiate a formal grievance as described in this policy in an effort to seek an equitable solution.

## Definitions

**A. Grievance:** A grievance is defined as a formal written complaint (using the Employee Grievance Form) submitted by an employee under the guidelines described in this policy.

**B. Day:** Day is defined as a scheduled workday except where provided otherwise. Day of receipt or other event does not count as one of the working days.

**C. Supervisor:** No matter what your position - leasing, caretaker, painter, or maintenance - your supervisor for the purposes of the employee grievance policy is your Community Manager. If a grievance is against a Community Manager, or if a Community Manager is submitting a grievance, Sara Sachs of Condor Corporation will be the de facto supervisor. The supervisor may choose to confer with the Property Manager on any decisions regarding an employee grievance.

**D. Property Manager:** The property manager is designated as Liz Maltby. The property manager may choose to confer with the owners of Condor Corporation on any decisions regarding an employee grievance.

## Level One

Take time to evaluate the matter. No conflict is one-sided. Accept personal responsibility for your actions, and make a concerted effort to evaluate the situation and to determine whether the matter can be addressed in a professional, respectful way between the parties involved.

Under all circumstances, appropriate workplace behavior must be maintained. Inappropriate behavior such as using profane language toward a coworker, spreading rumors or gossiping with other coworkers, or acting in any way not in accordance with your job responsibilities will not be tolerated.

If you are experiencing a conflict, please take the time to review the conflict management tips on the following pages. Because conflicts fester when ignored and because we want to always maintain a healthy work environment for all employees, it is important to address conflicts as they arise. If you feel the conflict cannot be solved between you and the other party(ies) without the interference of a disinterested party, you may continue to a Level Two action.

## Level Two

The grievant may initiate a formal grievance by obtaining a grievance form from their supervisor (as defined above). The grievant should then fill out the form in as much detail as possible and as soon after the act or condition giving rise to the grievance; the grievant must specify all the facts supporting the grievance on this form. Once the form has been filled out in as much detail as possible, the grievant should return a copy back to their supervisor and keep a copy for their personal records.

### **Time Limitation**

A grievance must be filed in writing within thirty (30) calendar days after the act or condition giving rise to the grievance and must specifically state the basis for the grievance and the remedy sought. In order to be considered, the formal written grievance must be filed on the appropriate form at Level Two as described below.

The supervisor will then have ten (10) business days from the receipt of the grievance form to schedule a meeting with the employee(s) for the purpose of resolving the grievance. If the supervisor determines that additional time is needed to develop the factual record, the grievance may be put on hold for thirty (30) days (or longer if by mutual written agreement) to allow time for investigation. The supervisor will then be responsible for determining the appropriate process, action, recourse, etc. to settle the grievance.

### **Level Three**

A. If any grievant is not satisfied with the decision rendered at Level Two, the grievant has the right to file an appeal to the Property Manager. The grievant shall file a written appeal on the designated form specifying with particularity the reason(s) for the appeal. The employee must file the appeal within five (5) days of receiving the supervisor's written response to their grievance.

B. The Property Manager shall make every reasonable effort to meet and consider the appeal within ten (10) days after it is submitted. Consideration of the appeal may include meeting with the grievant, any other parties involved, and/or the property manager.

C. The Property Manager may affirm, reverse or modify the decision of the supervisor. The supervisor's Level Two decision will be reversed only if the decision was:

- (1) in excess of authority of their position;
- (2) made upon unlawful procedure;
- (3) unsupported by substantial evidence in view of the entire record as submitted; or
- (4) arbitrary or capricious.

As used in this policy, substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.

D. The decision of the Property Manager shall be final. The Property Manager shall make every reasonable effort to inform the grievant and the supervisor of the decision either verbally or in writing within five (5) days of the meeting with all applicable parties.

### **Disciplinary Actions**

This grievance procedure shall not be available to contest dismissal, demotion, suspension or nonrenewal of an employee. If the grievance is filed and then a disciplinary action is begun on the same or related issue, no further action shall be taken with the grievance procedure while the disciplinary action is pending.

### **Guidelines for Implementation of the Above Proceedings**

The steps of the grievance procedure will be followed to the convenience of all parties whenever possible. When meetings are held during work hours, no employee shall suffer loss of pay for time away from his/her duties, nor shall he or she receive extra pay when meetings are held at a time other than working hours.

In order to process grievances as expediently as possible, every effort should be made to handle each step in the specified time period. If the grievant fails to comply with the time periods or other procedures outlined in this policy, the grievant waives any further right of appeal and the grievance will be considered resolved. If a supervisor fails to comply with the time periods or other procedures outlined in this policy, the grievant may advance the grievance to the next level.

The grievance may be voluntarily withdrawn at any level. Once a grievance is withdrawn, it cannot be reopened.

**NOTE: If the issue is of a legal nature (i.e., sexual harassment or race discrimination), it should be immediately brought to your supervisor.**