

## **Title VI & VII**

### **Discrimination Complaint Policy and Procedures**

In accordance with the University's Equal Employment Opportunity Policy, the university has established a discrimination grievance procedure. This complaint and grievance procedure is for any type of alleged discrimination regarding job decisions, employment practices, and other terms of employment or privileges of employment based on age, disability, marital status, veteran status, national origin, race, religion or sex. Additionally, this complaint procedure pertains to a hostile work environment or harassment based on age, disability, marital status, veteran status, national origin, race, religion or sex. Any Lincoln University employee or job applicant has a right to file a complaint of discrimination.

#### Informal Resolution Step

If an individual is an employee and believes that he or she has been subjected to employment discrimination, the employee is advised to discuss the matter and seek informal resolution with his/her immediate supervisor unless the supervisor is the respondent. If so, the employee should discuss the matter with the next in line of authority. The complainant must initiate the complaint process within **30 days** following the alleged discriminatory action or the date on which the complainant first knew, or reasonably should have known, of the occurrence. The supervisor will attempt a voluntary and informal means of resolving the complaint if possible within 5 days of notification. The supervisor should maintain a written summary of the discussion.

If an individual is a job applicant or terminated employee, the person should proceed to submit a formal written complaint to the Complaint Coordinator as stated below.

#### Formal Resolution Step

If informal resolution isn't acceptable, then the complainant will be asked to put forth a written statement with pertinent information of the complaint matter to the Complaint Coordinator, Executive Assistant to the President within 5 days. The formalized written statement needs to include: a description of the alleged discriminatory action, the individual(s) involved, when it occurred, witnesses and evidence of the alleged action, and what recourse is requested. Once a formalized written statement of complaint matter is filed, the Complaint Coordinator will refer the complaint to the appropriate university official for investigation within 5 days, the university official will conduct a fact-finding investigation.

The investigator will talk to the parties involved, review all relevant records and evidence, and interview witnesses. The investigator will conclude with a written report that summarizes the results and a finding. The conclusion could be a "substantiated" finding that could result in some type of corrective action by the University. The conclusion could be an "unsubstantiated" finding will result in no corrective action. The investigation outcome could be "inconclusive".

The investigator will submit the fact-finding summary report to the Complaint Coordinator within 10 days; the Complaint Coordinator will notify the involved parties in writing as to the outcome of the fact-finding investigation, including any action to be taken within 10 days. The Complaint Coordinator will attempt to ensure timely processing of the complaint at all steps but may determine an extension of these

timeframes is necessary. The Complaint Coordinator will inform either party of his/her right to elect to proceed to the next step in the complaint resolution process, the written request for a review by the Internal Grievance Panel.

If a request for a review by the Internal Grievance Panel is made in writing by one of the parties, the Complaint Coordinator will refer to the request to the Internal Grievance Panel Chairperson.

#### Internal Grievance Panel Review Step

The Internal Grievance Panel Chairperson will call a meeting of the whole membership, at which time a subcommittee will be selected to review the complaint matter. The subcommittee composition will have a diverse demographic representation of members that reflects the workforce as much as possible. The Internal Grievance Panel's designated subcommittee will have the authority to conduct the complaint review, issue findings and recommendations.

The designated subcommittee will conduct a review of the fact-finding report pertaining to the investigation of the complaint. The subcommittee may conduct a hearing to listen to testimony of the involved parties including witnesses and review any evidence relating to the alleged violation occurrence. The subcommittee must determine whether the complaint is substantiated, unsubstantiated or inconclusive and recommend any corrective action where appropriate.

The Internal Grievance Panel's designated subcommittee will submit its findings and recommendation to the Complaint Coordinator. This resolution step should be completed within 15 days of receipt of the written request for an impartial review. Should the panel decide that the complexities of the investigation prevent a conclusion within this time frame; the deadline may be extended upon approval by the Complaint Coordinator.

#### President's Decision Step

Following receipt of the Internal Grievance Panel's subcommittee written findings and recommendation, the Complaint Coordinator will ask the President to make a written determination as to the result of the findings of the complaint matter and provide a copy of the determination to the parties within 15 days. The President will include a statement indicating what action (if any) will be taken as a result of the complaint.

The President's written determination concludes the University's internal complaint process.