

ARTICLE 12

COMPLAINTS CONCERNING UNIT MEMBERS

- A. A “complaint” shall be defined as an alleged misapplication of the county’s policies, procedures, regulations, or rules, or behavior deemed inappropriate by the complainant. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint. At the request of the unit member, Association representative(s) may be present at any time during the complaint process.
- B. Should a complaint involve a state or federal law violation, the Sutter County Superintendent Uniform Complaint Policy shall be followed.
- C. Time limits specified in these procedures may be reduced or extended in any specific instance by mutual agreement of the parties involved.
- D. All documents, communications, and records dealing with the complaint shall be placed in a “complaint file.” No such material shall be placed in a unit member’s personnel file, nor utilized in any evaluation or disciplinary action if charges are withdrawn or proven to be false.
- E. No negative and/or unsatisfactory evaluation, discipline, dismissal, or other adverse action shall be predicated upon complaints, information or material of a derogatory or critical nature which has been received by the Superintendent’s Office from pupils, parents, employees, public agencies, and/or the public, unless the following procedures have been followed:

1. Level I: Informal

- a. Any complaint concerning a unit member shall be communicated to the unit member by his/her immediate supervisor within five (5) work days of knowledge of the complaint.
- b. The immediate supervisor will review and discuss the complaint with the unit member. The immediate supervisor will provide a verbal response to the complainant.
- c. If still not resolved, the supervisor will make every effort to bring all parties involved together to resolve the complaint at the lowest level.

2. Level II: Formal

- a. If the complainant does not feel the matter was satisfactorily resolved at Level I, he/she may submit a formal written complaint to the Superintendent or his/her designee.
- b. The unit member shall be provided a copy of the formal complaint within five (5) work days of receipt.
- c. The Superintendent or his/her designee shall investigate the charges by meeting with the unit member, the unit member's immediate supervisor, and other involved employees and/or students as necessary. The unit member may respond to the complaint in written form to the Superintendent if they so choose.
- d. The Superintendent or his/her designee shall present the unit member and Association President with a written summary of the complaint within ten (10) work days following the completion of the investigation.
- e. Upon receipt of any decision made by the Superintendent or his/her designee the unit member may appeal within twenty (20) work days to the Superintendent.

Upon receipt of the appeal, the Superintendent shall respond to the unit member within twenty (20) work days. All decisions of the Superintendent shall be final.