AHEC DISCRIMINATION/HARASSMENT REPORTING PROCEDURE

Any employee or applicant for employment at AHEC alleging discrimination, harassment, failure to reasonably accommodate a disability or any other treatment in violation of this policy, may submit a complaint. All classified and non-classified employees, except where otherwise noted, must use the following procedure. These procedures are in compliance with the State Personnel Rules.

1. Begin with an informal discussion with your supervisor or your second level supervisor or the AHEC Equal Opportunity Office or the AHEC Human Resource Office. The employee has **10 days** to initiate this discussion from the time of the incident or practice in question. The supervisor(s), Equal Opportunity Officer or the Human Resource Officer will have informal discussions with any other involved persons or witnesses and may attempt to resolve the complaint with the employees directly involved. These discussions will be completed within **7 days** from the time the initial allegation was raised and the employee will be notified regarding the discussion and possible resolution of the matter and with whom a formal grievance may be filed.

1. If informal discussion fails to resolve the matter, a formal grievance can be filed with the appointing authority or the AHEC Equal Opportunity Office or the AHEC Human Resource Office. The complaint must be in writing and must be filed within **5 days** after the conclusion of the informal discussions.

An investigation will be conducted within the agency that will include:

- interviews with all effected parties, including witnesses or other persons who may have information to share regarding this matter;
- a review of all relevant documents;
- a consideration of all the information and facts involving the complaint;
- a written determination regarding the basis of the complaint.

This process must be completed within **30 days** from the time the formal complaint was filed unless both parties involved consent, in writing, to extend the process.

During this time, alternative dispute resolution (mediation) may be encouraged. If the parties enter mediation, time limits are suspended pending the outcome or discontinuance of mediation.

Mediation is private, confidential, and privileged. It is conducted by a trained, unbiased facilitator who assists the parties in clarifying and understanding their different points of view, generating and evaluating alternatives and reaching a mutually acceptable resolution. The mediator’s notes are confidential and will be destroyed after the mediation. The mediator cannot be contacted for information. If an agreement can be reached in mediation, all parties will be asked to review and sign an agreement. If either party fails to comply with the agreement, he/she may be subject to corrective or disciplinary action.

3. **For classified employees**, if a decision is not rendered in **30 days**, or the employee is not satisfied with the result, he/she may appeal or petition as appropriate to the State Personnel Board. A petition must be filed within **10 days** from the time the formal internal investigation
was concluded. The petition must include a copy of the original written grievance and the agency’s final decision. A copy of the petition must be given to the person who made the agency’s final decision regarding the complaint. At this point, the State Personnel Board will refer the matter to the Colorado Civil Rights Division (CCRD). **Non Classified employees** may appeal the decision to the Executive Vice President for Administration for AHEC.

An employee may be represented by any person the employee chooses during any step(s) of the grievance process. The representative may participate and speak for the employee however; the employee is expected to participate in the discussions that are held during the grievance process.

All employees also have the right to file charges concerning harassment and/or discrimination with the U.S. Equal Employment Opportunity Commission, and/or the Colorado Civil Rights Division.

**CONTACT INFORMATION**

If you have any questions concerning this policy and procedure, contact either of the AHEC staff listed below:

- **AHEC Equal Opportunity Director** (303) 556-2243
- **Director of Human Resources** (303) 556-3384

If you have any questions concerning State Personnel Rules, contact:

- **State Personnel Board** (303) 866-3300
  633 17th St.
  Suite 1320
  Denver, CO 80202