



**Personnel Policies and Procedures**  
**Employee Non-Discrimination Policy**  
Effective Date: September 5, 2018  
Board Approval: September 5, 2018

**1. Purpose**

- 1.1. The purpose of this policy is to provide College employees with a defined avenue for resolution of discrimination complaints.

**2. Policy**

- 2.1. It is the policy of the College to adhere to state and federal laws prohibiting discrimination.

**3. Non-Discrimination: General Procedures**

- 3.1. This procedure is not meant to be a prerequisite to filing a charge of discrimination with either the Utah Anti-discrimination and Labor Division (UALD) or the Equal Employment Opportunity Commission (EEOC).
- 3.2. Employees may avail themselves of the discrimination complaint procedure without fear of coercion, intimidation, or reprisal
- 3.3. The College has a Human resources officer who shall assist in handling discrimination complaints.
- 3.4. The Human Resources Officer shall:
  - 3.4.1. provide guidance on the discrimination process,
  - 3.4.2. provide staff training to employees on requirements of College policies and procedures and laws governing discrimination,
  - 3.4.3. attempt to resolve discrimination complaints and disputes to the satisfaction of the employee and the College, and
  - 3.4.4. receive and process discrimination complaints according to internal College procedures.
- 3.5. The College is responsible for ensuring that documentation is retained on all discrimination complaints whether or not the complaint is resolved. Documentation need not be elaborate but shall indicate the person involved, the nature of the complaint, and the action taken. Such documentation must remain in the active files for a minimum of two years.
- 3.6. An employee may file a formal complaint at any time. Formal complaints must be in writing.
- 3.7. When requested by the employee, the College Human Resources officer shall provide administrative assistance to the employee in the preparation of a formal complaint letter. Formal complaint letters shall be written which identifies the problem(s), the person involved, and the circumstances surrounding the complaint.
- 3.8. The Human Resources officer shall notify the President when a complaint is received.
- 3.9. The Human Resources Officer should receive copies of all correspondence relating to an employee complaint.
- 3.10. If the employee initiates action with federal, state, or local agencies or threatens legal action, copies of

correspondence and a memorandum of explanation shall be sent to the Attorney General's Office and Risk Management.

#### **4. Discrimination Complaint Process**

- 4.1. Any employee who feels discriminated against or harassed based on race, color, ethnic background, national origin, religion, age, gender, disability, veteran status, and sexual orientation or preference, including sexual/gender harassment has rights under this policy.
- 4.2. In addition to or in lieu of filing a complaint with the College, the employee may contact: Office of Civil Rights, Health, Education, and Welfare, Denver Region, 1244 Speer Blvd., Suite 310, Denver, Colorado, 80204. Telephone: 303.844.5695.
- 4.3. It is recommended that that grievance procedures within the College shall be utilized for such concerns. Those who believe they are victims of discrimination or harassment, witnesses, or others, may address discrimination or harassment issues by utilizing one or more of the following options:
  - 4.3.1. Consult with the Human Resources officer.
  - 4.3.2. Seek to informally resolve issues directly with the individual(s) alleged to have discriminated or harassed.
  - 4.3.3. Seek to resolve issues through supervisor personnel.
  - 4.3.4. File a formal grievance with the Human Resources Department. The employee shall complete the College's Civil Rights Grievance Form.

#### **5. Submitting a Complaint**

- 5.1. The employee shall present the discrimination complaint orally or in writing to their supervisor who will inform the Human Resource Department that a complaint has been formally submitted. The employee filling the complaint shall identify and document the problem, the person involved, and the circumstances surrounding the complaint.
- 5.2. At the employee's discretion, the employee may go to their next level of supervision or Human Resources if the complaint is against the immediate supervisor.
- 5.3. The respective Vice President shall document the complaint and obtain the employee's signature on the documentation. The Vice President shall investigate the issue of the employee's discrimination complaint and prepare a memorandum to identify the problem, person involved, and circumstances surrounding the complaint. The Vice President shall explain the findings and recommendations concerning the complaint. The Vice President shall detail their findings in a memorandum and forward the memorandum to the employee with copies to the President and Human Resources Department within 25 working days.
- 5.4. The employee shall accept or reject the Vice President's recommendation on the complaint and notify the supervisor of the decision. If the Vice President's recommendation is accepted, the employee should take no further action. If the Vice President's recommendation is rejected, the employee should proceed in accordance with instructions in the "Appeal Process" of this procedure.
- 5.5. If the employee accepts the recommendations, the Vice President shall ensure that the recommendation is implemented.
- 5.6. The civil rights grievance process and final decision shall be completed within a 45 working-day period.