

Grievance Policy
v2.0 / Last Amended 10.16.19

I. Introduction

- A. The NAIGC Board of Directors is committed to preserving and improving cooperative and effective work relationships among all directors and advisors. The Board encourages anyone who feels they are not receiving fair treatment on the Board to use the grievance procedures set forth in this policy. Individuals who believe they may have a grievance are encouraged to contact a standing officer for assistance with interpretation or implementation of this policy.

II. Eligibility

- A. All directors, advisors, and NAIGC **members** are eligible to access the process described in this policy.
- B. A grievance must be based upon a difference arising between members concerning the interpretation or application of written NAIGC policy, rules, or procedures relating to terms and conditions of the individual's position within the NAIGC.
 - 1. Grievances are limited to matters of interpretation and application of NAIGC policies, rules and procedures; the establishment or substantive content of such a policy, rule or procedure is not grievable.
- C. Grievances may not be filed related to an individual's race, age, color, sexual orientation, religion, sex, disability, national origin, marital status, or veteran status.
- D. If eligibility is in question, standing officers will determine whether or not a matter is grievable. If a matter is found to be non-grievable, such Director will work with the appropriate parties to try to resolve the concern.
- E. If a grievance needs to be legally filed outside of the internal process outlined below, filing must occur in accordance with North Carolina state law.

III. Grievance Procedure

- A. The grievance process described in this policy is an internal, informal process, intended to facilitate open communication and exchange of relevant information and to allow for a meaningful, honest review of the grievance. In order to promote the informal and open exchange of information, general counsel shall not be permitted to participate in meetings or act as a representative for any party throughout this process.
- B. The process outlined in this policy can be forgone and a director can be removed from his/her position as outlined in the Bylaws.
- C. Before filing a grievance, the individual alleging a violation is encouraged to attempt the following in an effort to reach a resolution:
 - 1. Informally discuss the matter with the violator
 - 2. Informally discuss the matter with the applicable committee chair or task force leader
 - a) If the grievance is based in any part upon the applicable committee chair or task force leader acts, the individual alleging a violation may file a formal grievance directly.
 - 3. Informally discuss the matter with an ombudsman
 - a) The ombudsman shall be the person currently holding the NAIGC Legal Counsel position.
 - (1) In the event we do not have a legal counsel, the head of HR will be the interim ombudsman

- (2) In the event that Legal Counsel is not a neutral party, the standing officers shall select a neutral board member or advisor to act as a temporary ombudsman.

D. Step 1: Submitting a Grievance

1. If attempts at informal resolution are not successful, a written grievance can be submitted to the standing officers.
 - a) If any standing officer is the subject of the grievance being filed, they shall not be involved in any step outlined in this policy that refers to “standing officers.”
2. The written document shall specify:
 - a) The exact nature of the alleged grievance;
 - b) Details regarding the policy, rule, or procedure allegedly violated;
 - c) The specific remedy requested;
 - d) A specific statement that the individual wishes to initiate a grievance pursuant to the procedures contained in this policy.
3. While supporting information or clarification may be requested or presented in subsequent steps of the grievance process, the individual is responsible for identifying all issues and allegations relevant to the grievance in this writing. No additional matters may be raised once the written grievance is filed with the standing officers. Additional allegations or requested remedies may be addressed only through a separate grievance process. At the discretion of the standing officers, multiple grievances filed by one or more individuals may be combined into a single grievance, if such an action promotes a more meaningful review of the matter.
4. Within five (5) workdays of receiving the written grievance, the standing officers shall address the grievance with a written response.

E. Step 2: Investigation and Decision

1. The standing officers shall review the written document and may gather any other information from such sources as they deem necessary and relevant to the grievance.
2. After considering all of the relevant information, the standing officers shall render a written decision, within fifteen (15) work days following receipt of the initial grievance.
3. The standing officers shall promptly deliver the decision to the individual who filed the grievance.
4. If the grievance is upheld, sanction procedures outlined in Step 4 shall be followed.

F. Step 3: Appeal

1. Should the individual remain dissatisfied, they may, within five (5) workdays of receiving the Step 2 decision, submit a written request to the standing officers to appeal the decision through the establishment of a Grievance Panel.
2. The request to appeal shall include a clear explanation of why the individual disagrees with the Step 2 decision.
3. A Grievance Panel shall be appointed, within ten (10) workdays of receiving the request for appeal, by the standing officers and be composed of [five](#) NAIGC directors or advisors.
 - a) No one with a personal or professional interest in the outcome of the grievance is qualified to serve on the Panel. The individual shall approve that all three panel members selected, fit this criteria.
 - b) The Panel acts only in an advisory capacity to the standing officers.

4. As needed, the Panel will meet with the individual and any other person deemed by the Panel to have relevant information about the subject of the grievance.
5. Within twenty (20) workdays of receiving the request for appeal, the Panel shall submit their written recommendations to the standing officers.
6. Within five (5) workdays of receiving the Panel's recommendations, the standing officers will provide written notification to the individual of the final disposition of the grievance. Such decision will be final and binding on all parties. There will be no further appeal within the NAIGC.

G. Step 4: Consequences of Upheld Grievances

1. Minor Grievances - warning
2. Major - suspension of some kind, voting suspension
3. Severe - removal, ineligible to be elected ever again on the board

H. Step 5: Disposition Communication

1. Upheld grievances: The original written grievance along with the written decision and sanction shall be communicated to the entire NAIGC Board of Directors via email. A summary of the grievance shall also be added to the individual's end of year evaluation.
2. Dismissed grievances: No written documentation shall be shared with anyone outside of the necessary parties who are already informed that a grievance was filed.

IV. Timelines

- A. The amount of time for filing and decision making under this policy is intended to provide for a prompt, yet thorough, review and resolution of grievances. Parties must adhere to this timeline in order to ensure the benefits of participating in this process. However, should the President determine that special circumstances or the nature of the grievance are such that additional time will allow for a more meaningful, well-supported resolution of the matter, then the President may grant an extension of a specific amount of time in writing, delivered to all parties with a need to know.

V. Withdrawing a Grievance

- A. An individual may terminate their grievance under this policy at any time by delivering to the standing officers a written notification requesting such withdrawal.

VI. Anonymity

- A. An individual may make an anonymous report, limiting identifying information.

VII. Retaliation

- A. Retaliation of any type shall not befall any person for participating in the grievance procedure set forth herein. Individuals engaged in such retaliation will be subject to disciplinary action, including the potential for dismissal from the Board of Directors. A grievance based upon retaliation may be treated as a separate offense and is grievable under this policy. If a member of the grievance panel or HR interferes with this process, they will be immediately removed from the panel, and they will be presented (w/c) with a major or severe grievance from the NAIGC BOD/Officers.

B.