**Problem Solving and Review Process**

Missouri Baptist University is committed to providing a positive learning and working environment for its students, faculty, and staff. It is inevitable that from time to time there will be disagreements between managers and employees in the workplace. Open, considerate, and respectful communication is fundamental to finding appropriate solutions for workplace problems. It is important that employees are treated fairly and receive prompt responses so that issues within the workplace can be resolved.

If any employee believes that he/she has been unfairly treated through the misapplication of the provisions of the employee handbook(s) policies and procedures, any University rules and regulations, administrative action or through the actions of another employee which may adversely affect the employee’s status, he/she should first attempt to informally resolve the matter. For this reason, the University supports an open-door policy through which employees may approach any member of management to discuss matters affecting their work. When situations cannot be resolved informally, employees may request formal review of certain disciplinary actions as described below.

The University also has in place a review process when an employee believes that he/she has been subjected to behavior that would violate the University’s Prohibition Against Discrimination and Harassment.

**Informal Problem-Solving Process**

Employees are encouraged to deal directly with their supervisor to resolve issues. If this is not possible, an employee has the option to request assistance with resolution from higher level management within their office/division or Human Resources.

The Director of Human resources may informally coach employees on possible approaches to help resolve the issues. Human Resources may investigate the issues and work to seek informal resolution of the issue with the appropriate department management.

**Formal Review Process**

If an employee does not believe that the results of the informal processes as described above are satisfactory, he/she may then seek formal review of any issue or disputed disciplinary action that consists of a formal written warning, suspension, demotion, or termination, excluding those that occur during the employee’s orientation/probationary period upon hire or rehire.

To request a formal review of a disciplinary action, the employee must submit a written request for review to the Director of Human Resources within 30 days of the disciplinary action or completion of a formal departmental review procedure. This request must describe the basis for the appeal and include any relevant documentation.

The Director of Human Resources or her/his designee will coordinate review of the employee’s submission with relevant University administrators (e.g., director, associate dean, dean, vice president). As part of the review, the Director may meet with the employee, the employee’s supervisors or managers, or others, and may request additional documentation. After consultation with appropriate administrators, the Director will communicate the University’s decision, which shall be final.

Disciplinary actions under review remain in effect while the review is pending. Outside parties will not be allowed to participate in this process.

**Review Process for Alleged Employee Violations of the Prohibition Against Discrimination and Harassment**

Complaints against employees alleging a violation of the Policy on Prohibition Against Discrimination and Harassment should be submitted in writing to the Director of Human Resources. Complaints should be filed in a timely fashion to ensure access to pertinent information necessary to fully investigate the complaint.

The written complaint should include: (a) the name and position of the accused employee; (b) the nature of the alleged discrimination/harassment; (c) the date(s) when the alleged discrimination/harassment occurred; (d) the details of the alleged discrimination/harassment, including any information that corroborates or supports the complainant’s report; and (e) what outcome the complainant is seeking.

A complaint that is not in writing or does not include all the above information will still be accepted and investigated by the University.

The Director of Human Resources will acknowledge receipt of the written complaint. The Director of Human Resources will determine the method by which the investigation will be conducted and will designate an investigator. The University may utilize an employee or an appropriate third-party to conduct the investigation.

In the event of an investigation, the Director of Human Resources will notify the person whom the complaint (Respondent) is against.

The purpose of the investigation is to establish whether there is a reasonable basis for believing that the alleged violation of the Policy on Prohibition Against Discrimination and Harassment has occurred. In conducting the investigation, the investigator may interview the complainant, the respondent, and other persons believed to have pertinent factual knowledge. The investigator may also request documentation or evidence from either the complainant or the respondent to support the party’s position.

The investigation will afford the accused a fair opportunity to respond to the complainant’s allegation(s).

Human Resources and the investigator will strive to maintain, to the greatest extent possible, the confidentiality of complainants, respondents, witnesses, or other individuals involved in the complaint or investigation process. However, Human Resources and the investigator cannot guarantee absolute confidentiality when it would conflict with the University’s obligation to thoroughly investigate a matter or take corrective action. The University will keep confidential all records of complaints, documentation, responses, and investigations to the extent permitted by law.

Following the close of the investigation, Human Resources will provide a letter summarizing the outcome of the investigation to the complainant and to the respondent. Generally, the outcome letter will be issued within 30 days from the date on which the complaint was received by Human Resources.

Within five (5) working days of receipt of the outcome letter from Human Resources, a party not satisfied with the determination by Human Resources may appeal the outcome of the investigation to an Appellate Officer designated by the University. The party wishing to appeal should submit a written appeal to Human Resources, specifically stating the basis for the appeal. Human Resources will forward the written appeal to the designated Appellate Officer, along with the investigation record. The Appellate Officer will review the prior investigation record and, if they deem appropriate, conduct further investigation. The Appellate Officer will provide a written response to the appealing party, with a copy to the other party, ordinarily within 15 business days of the Appellate Officer receiving the prior investigation record.