

# CONFLICT RESOLUTION

(Effective May 1, 2013)

The purpose of this policy is to make a good faith effort toward achieving an informal resolution of a problem brought to the University's attention. It is intended to provide a fair internal process for resolving employee conflicts through direct consultation and openness. The success of these processes depends upon the willingness of all members of the University community to participate when asked and to do so in good faith and to strive for a resolution that is best for the University as a whole.

In cases involving sexual harassment or harassment of any type (which includes bullying), please refer to the Anti-Harassment Policy in the Administrative and Support Staff handbooks.

Retaliation toward any employee who exercises the available processes under this policy is prohibited and will be subject to disciplinary action.

## Informal Process

Two basic resolution processes are available to staff in expressing a concern: an informal process, which may include mediation or conflict resolution procedures, and a formal process.

The University recognizes that from time to time staff members may experience problems or have conflicts or concerns related to their employment. Employee concerns are to be expected in any work environment, with numerous reasons for their origin. The University wants to address conflicts in a positive manner and work toward effective and expedient resolutions.

When initiating an informal concern, an employee who has a concern or issue is encouraged to pursue a resolution first by following the informal processes discussed below. Most concerns and problems can be resolved at the informal level. When people come together with a spirit of collaboration and helpfulness, issues and concerns can usually be better understood and resolved in a satisfactory manner. Employees should address concerns directly with others if they are comfortable doing so. Often times, a concern is most easily addressed with the person(s) involved and does not require outside assistance. Additionally, employees are encouraged to consult with Human Resources regarding concerns to access resources, advice, and assistance on how to best address the issues.

If an issue cannot be resolved informally (using either the Level 1 or Level 2 processes defined below), an employee can seek assistance using the formal process described later in this policy.

An employee may request to have a Denison University employee present at the informal level.

### Level 1

An employee should first seek to resolve an issue with the immediate supervisor, manager, or department chair. This is consistent with our philosophy of resolving disputes at the lowest possible level in the organization. These discussions should be conducted in private.

Attempt to resolve issues you encounter at work informally, through discussion with the persons involved, and in the spirit of goodwill and cooperation. If you address potential problems early, they are less likely to escalate into more significant issues. Your supervisor or department

head may be able to help you resolve concerns and other problems informally and with as little disruption and distress as possible.

If the issue involves the immediate supervisor, we encourage employees to address the issue with the supervisor so that the issue can be explored together with the goal of mutual respect and enhanced understanding of the issue. When people address issues in this manner it's likely that resolutions can be found without escalating the issue to others. However, an employee has the option to discuss the issue with a manager higher up in the department or organization to seek resolution.

If the circumstances of the issue prevent an employee from comfortably or effectively using the Level 1 process, the employee can access the Level 2 process.

### Level 2

If the issue is not resolved at Level 1, or if circumstances of the issue prevent the employee from using the informal steps in Level 1, the employee may present the issue to the Human Resources Office for a consult, mediation, and/or action plan to help resolve the conflict. The Associate Director of Human Resources and/or Director will investigate the issue(s) and may counsel with the employee, the supervisor, the department head, department chair, associate provost, and/or divisional vice president or provost in an attempt to resolve the issue. Human Resources will work together with the employee to decide on a course of action, one that will increase the probability for a satisfactory resolution and garner the employee's support.

Throughout any conflict resolution process, participants are required, to the best of their ability, to inform, listen to, and counsel other employees on matters affecting their work environment and to help resolve those matters informally, if possible. It is with this idea in mind that Human Resources will work with the participants involved to achieve a satisfactory resolution.

Normally, concerns are resolved at the Level 1 or Level 2 informal process; however, the employee may elect to pursue the formal process if an employee is not satisfied with the results of the informal process, or, an employee may elect to engage the formal process without accessing the informal process.

## Formal Process

It is the intent of the University to encourage and facilitate informal resolutions of employee concerns. However, when differences cannot be informally resolved, the University provides a formal process to address the concern.

### First Step: Immediate Supervisor/Manager/Department Chair

The employee must submit a written notice of the concern to his/her supervisor/manager/department chair or if a concern is with the supervisor/manager/department chair then the written notice may be addressed to the supervisor/manager at the next level in the department or division. The Office of Human Resources must be copied on the written concern. The content of the concern should include: (1) information concerning the nature and extent of the problem and related facts; (2) the rule, regulation, policy, or procedure, if any, that is alleged to have been violated; and (3) the remedy sought by the employee.

Upon receipt of a written concern, the supervisor/manager/department chair will consider the facts and circumstances and must respond in writing within ten (10) working days of the receipt of the written concern. The supervisor/manager/department chair may seek additional guidance

from management, Human Resources, or divisional vice president or provost. If the employee is not satisfied with the response of the supervisor/manager/department chair, the employee may appeal the decision by following the process outlined in Step 2 below.

**Second Step: Human Resources**

If the response to the first step is unsatisfactory to the employee, he/she may submit an appeal within ten (10) working days of the receipt of the first step response. The notice must be in writing and be submitted to the Office of Human Resources.

The content of the appeal should include all the items required at the first level: (1) information concerning the nature and extent of the problem and related facts; (2) the rule, regulation, policy, or procedure, if any, that is alleged to have been violated; and (3) the remedy sought by the employee. Additionally, the employee should address in writing his/her response to the written response received from the supervisor/manager/department chair in step one.

The Director and/or Associate Director of Human Resources will consider the facts and circumstances of the appeal and gather any additional information deemed necessary. Human Resources will investigate the concern and attempt to resolve the problem. Human Resources will provide a written response to the employee within twenty (20) working days of receipt of the appeal from the employee. If the employee is dissatisfied with the written response, s/he can appeal to Step 3.

**Third Step: Divisional Vice President or Provost**

If the employee is dissatisfied with the second step response, he/she may submit an appeal within ten (10) working days of the receipt of the second step response. The notice must be in writing and be submitted to the applicable divisional vice president or provost with a copy to the Director of Human Resources.

The content of the appeal should include all the items required at the Step 2 and include a response in writing to the written response received from the Office of Human Resources in Step 2.

The divisional vice president or provost will assemble a panel of three members of the supportive operating staff to review and make recommendations to the divisional vice president or provost.

The panel will be assembled within 5 (five) working days after receipt of the appeal. One member is selected by the complainant (employee), and one by the divisional vice president or provost. The two individuals selected for the panel will then select a third member who will serve as chairperson. They will provide a written recommendation to the divisional vice president or provost within 10 (ten) working days.

A written report of the action taken by the divisional vice president or provost is to be given to the complainant within 15 (fifteen) working days of the receipt of the panels written recommendation. A copy of this report together with the written complaint will be made a part of the complainant's personnel file. The response from the divisional vice president or provost is the final step in the process.