

<b>BOARD POLICIES</b>	<b>EMPLOYEE COMPLAINTS OF DISCRIMINATION, HARASSMENT, AND/OR RETALIATION (BP-5027)</b> METRO TECHNOLOGY CENTERS	<b>The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.</b>
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**1.0 POLICY:**

This policy applies to any full-time or part-time employee of Metro Technology Centers. Any employee who is subjected to discrimination, harassment, and/or retaliation, or who witnesses such actions is encouraged to report such alleged actions to their supervisor, the Chief Officer Human Resources, or to the:

Title IX Coordinator  
Metro Technology Centers  
1900 Springlake Drive  
Oklahoma City, OK 73111  
405-424-8324  
[TitleIX@metrotech.edu](mailto:TitleIX@metrotech.edu)

**1.1. Submitting, Receiving, & Investigating a Complaint**

- 1.1.1. An employee or any witness of discrimination, harassment, disability harassment, sexual harassment, threatening behavior, or retaliation upon an employee may make a verbal report or file a written complaint. Written complaints may be filed using the official Complaint/Compliance Form available on KALMS.
- 1.1.2. The Complaint/Compliance Form is submitted to the supervisor who then forwards it to the Chief Officer of Human Resources. If the complaint is against the supervisor, the complaint may be submitted directly to the Chief Officer Human Resources, Title IX Coordinator, or Associate Superintendent.
- 1.1.3. If the complaint is based upon potential harm to any person, including any sexual misconduct or an allegation of discrimination, then the Title IX Coordinator is to be notified of the complaint and the investigation shall began immediately.
- 1.1.4. If the complaint is deemed not to fall under Item 1.1.3, then the supervisor shall utilize discipline, mediation or alternative dispute resolution processes. If the complaint is not resolved at the department level then the complaint is forwarded to the Chief Officer Human Resources.
- 1.1.5. Complaint investigations at all District levels will be conducted in a thorough and impartial manner within 10 working days of receiving the complaint, to the extent reasonably possible. The complainant and respondent will be provided opportunity to provide witnesses and other evidence.
- 1.1.6. During the investigation process, the center may take interim measures as deemed necessary to meet the immediate needs of parties to the complaint investigation, such as, but not limited to, scheduling adjustments, no contact orders, or counseling services and outside referrals.

**1.2. Investigation Findings**

- 1.2.1. For all findings and decisions, the investigator shall notify all parties in writing of the decision and their right to appeal within 5 working days of completing the investigation, to the extent reasonably possible.

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- 1.2.2. If the investigator finds that discrimination, harassment, disability harassment, sexual harassment, threatening behavior, and/or retaliation has occurred, then the respondent will be disciplined, which may include, but is not limited to, verbal or written reprimands, suspensions with or without pay and possible termination. It may also be recommended and required that the respondent be placed in relevant training before 1) returning to work or 2) concurrently while working.
- 1.2.3. If the investigator finds that discrimination, harassment, disability harassment, sexual harassment, threatening behavior, and/or retaliation, did not occur, then written notice to the parties of the outcome of the investigation will be provided to the extent permitted by law.
- 1.2.4. Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action up to and including termination or dismissal. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

1.3. **Appeal Process**

- 1.3.1. All parties have the right to appeal investigation decisions.
- 1.3.2. The appeal must be made in writing to the Associate Superintendent of Instruction/Human Resources within 10 days of written notice of the outcome of the investigation.
- 1.3.3. Upon receiving an appeal request, the District will provide the appellant a written explanation of the appellant rights and options within two days.
- 1.3.4. Within five days of receipt of an appeal request the Associate Superintendent of Instruction/Human Resources shall appoint an impartial panel for a hearing of the appeal. Such panel will consist of five persons with a minimum of one member of District leadership, one professional level staff member and one supervisor. No person will serve on the panel who was a witness or has such close ties to the parties to the complaint that the individual could not be impartial.
- 1.3.5. The hearing will take place within ten working days of receipt of the appeals request, to the extent reasonably possible. The appellant has the right to bring witnesses and other evidence. The hearing will be conducted in an impartial manner.
- 1.3.6. In the event the recommendations arising from the investigation are overturned by the hearing panel, appropriate measures will be taken in compliance with Metro Tech Board Policy.
- 1.3.7. The decision of the hearing panel is final.

1.4. **Retaliation**

- 1.4.1. Retaliation is any negative conduct which is taken in response to an individual's complaint of harassment or discrimination or participation in any

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investigation of such harassment or discrimination complaint. At no point will retaliation of any type be permitted.

**2.0 CROSS REFERENCE:** BP-2031, BP-5020

**3.0 REVISION HISTORY:**

<u>Date:</u>	<u>Revision</u>	<u>Description of Revision:</u>
12-Sep-17	A	NEW