



EMPLOYEE AND STUDENT GRIEVANCE PROCEDURE & COMPLAINT FORM ALLEGED VIOLATIONS OF PROTECTIONS FOUND IN NOTICE OF NON-DISCRIMINATION

To file a complaint with the University regarding an alleged violation of any tenets of the Notice of Non-Discrimination found below, please complete and email to **ADA@mercyhurst.edu**. If you are unable to complete this form and would like to make a verbal complaint, please call **814-824-2362**.

MERCYHURST UNIVERSITY NON-DISCRIMINATION POLICY

Mercyhurst University values diversity and is committed to the goal of achieving equal opportunity for all. For that reason, Mercyhurst abides by federal, state and local law in admissions, employment and all services and programs provided. Mercyhurst does not unlawfully discriminate on the basis of race, color, religion, creed, sex, citizenship status, ancestry, national or ethnic origin, age, familial status, sexual orientation, physical or mental disability, military or veteran status or any other legally protected characteristic or because of any individual's legally protected activities. Mercyhurst complies with federal, state and local legislation and regulations regarding nondiscrimination. This policy applies to faculty, administration and staff, applicants for employment, students and applicants for education programs and activities. Mercyhurst University prohibits sexual harassment, including sexual violence.

GRIEVANCE PROCEDURE

Any employee or student who believes they have been denied the protections provided for in the Non-Discrimination Policy by the University, should contact the ADA Coordinator at **814-824-2362** or **ADA@mercyhurst.edu** to report the situation. Upon receiving a formal written complaint of the incident(s), the ADA Coordinator or their designee will promptly investigate the incident, when the incident involves an employee as the respondent. Absent a formal written complaint, the ADA Coordinator or their designee will attempt to work with the parties on an informal resolution. Complaints involving students as the respondent will be referred to the Student Conduct Office for investigation and resolution.

The ADA Coordinator or their designee will prepare a written report of the findings of the investigation and present to the appropriate Vice President or area supervisor. The ADA Coordinator will work in conjunction with the appropriate Vice President or area supervisor to determine the appropriate corrective action to be taken, if it is determined that a violation of the Non-Discrimination Policy has taken place.

Anyone alleging a violation of the policy need not report such violation directly to any individual who is alleged to have engaged in the behavior or decision leading to the alleged violation. The right to confidentiality, both of the complainant and of the respondent, will be respected consistent with Mercyhurst University's legal obligations and with the necessity to investigate the allegations of misconduct and take corrective action where this conduct has occurred.

Any supervisor or manager who becomes aware of possible violations of the Non-Discrimination Policy should promptly advise the ADA Coordinator. Mercyhurst University aims to conclude investigations within 60 days of the filing of the initial complaint, with an understanding that there may be special circumstances (timing of breaks, scheduling witnesses, etc.) which make this 60 day time frame unrealistic.

Anyone found to be engaging in discriminatory behaviors or practices will be subject to disciplinary action, up to and including termination of employment. In cases involving students who have been accused of acting in a discriminatory manner, the Student Handbook and its attendant policies on student conduct will control.

INFORMATION DISSEMINATION

Once the case is closed and complete, the following steps will be taken:

- The packet will be reviewed to make sure that all information is complete,
- A summary of the complete packet will be printed and filed (hard copy and electronically),
- Hard copies of the files will be kept in a secure location by the ADA Coordinator, with copies placed in relevant HR or student files as necessary.

OUTCOME NOTIFICATION

The ADA Coordinator or their designee will inform the complainant and respondent of important developments and decisions in the investigation as necessary. At the conclusion of an investigation, both the complainant and respondent will be notified in writing to inform them if a violation was determined to have occurred.



UNIVERSITY STATUS

Check all that apply to you:

Administrator

Student

Staff

Employment Applicant

Prospective Student

Other (please explain): _____

Faculty Member

Graduate Student

Name _____

Department _____

Work Number _____ Personal Number _____

Home Address _____ City _____ State _____ Zip Code _____

Employee ID Number _____ Student ID Number _____

BACKGROUND INFORMATION

Have you brought this matter to the attention of any other department(s) at the University? If so, please list the name(s) and department(s) of all other persons with whom you have discussed this matter. Please also include the date(s) and time(s) the information was shared.

Return this form to:

ADA Coordinator • 501 East 38th Street • Erie, PA 16546 | Phone: 814-824-2362; fax: 814-824-2020 | Email: ADA@mercyhurst.edu

WITNESSES

Please list the names of the witnesses, their relationship to you and their contact information.

The relationship information requested means co-worker, supervisor, faculty member, student, friend, etc.

COMPLAINANT

Please answer the following questions to the best of your ability in full description. Use as much detail as possible and write as much as you feel is necessary. Supplemental sheets may be attached to provide additional detail regarding the alleged violation.

1. Describe the alleged violation of the protections in the Non-Discrimination Policy, specifically describing the incident(s) as clearly as possible; include date(s), location(s), the presence of any witnesses, verbal statements (threats, requests, demands etc.), physical contact, denial of services, etc.
2. List the name(s), department(s), and position of the person(s) that allegedly violated a protection found in the Non-Discrimination Policy.
3. List the names of other students or employees who might have been subject to the same or similar discrimination or retaliation acts.
4. For retaliation complaints, please explain why you believe someone retaliated against you.
5. Include any other information that is relevant to the complaint.

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COMPLAINANT (continued)

I hereby certify that the information I have provided is correct and complete to the best of my knowledge.

Signature

Print Name

Date

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