



## Resolving Workplace Concerns Procedure

**Effective Date:** January 5, 2018  
**Function:** Human Resources  
**Contact:** Vice President for Human Resources (518)-434-7132

### Basis for Procedure

The Research Foundation for The State University of New York ("Research Foundation" or "RF") has established this procedure to provide employees with methods for resolving workplace concerns and conflicts as quickly and effectively as possible.

### Procedure Summary

The Research Foundation is committed to resolving conflict in a positive and meaningful way that promotes and maintains a productive and respectful work environment. Employees are encouraged to resolve disputes internally using the process outlined below.

### Conflict Resolution Process

#### Scope

Employees and supervisors are encouraged to utilize this conflict resolution procedure to resolve workplace concerns or conflict. This procedure is available to all current employees of the Research Foundation (RF). Fellows, independent contractors, and former employees are not covered by this procedure.

Specifically excluded from this procedure are complaints alleging discrimination, harassment, or retaliation, which are covered by [Equal Employment Opportunity and Antidiscrimination Policy](#) and the [Procedure for Resolving Discrimination, Harassment, and Retaliation Complaints](#), or regarding circumstances underlying a pending administrative complaint or litigation.

#### Timing and Confidentiality

Early reporting of conflict is generally viewed as the most effective method of resolving problems in the workplace. Employees are strongly encouraged to raise concerns promptly. Delays in reporting may affect the RF's ability to mediate a resolution. Confidentiality will be maintained to the extent possible under the circumstance; however, information may need to be disclosed in order to facilitate resolution.

### Procedure

The following is an outline of the shared responsibility between the RF and its employees to achieve positive conflict resolution.

#### Step 1.

Employees who wish to utilize this process must bring to the attention of their immediate supervisor(s) any work-related conflicts or problems as soon as possible after they arise. Prompt, early reporting and intervention have proven to be the most effective method of resolving employee concerns. To assist in facilitating a response, employees must provide to the supervisor information regarding the concern, including relevant facts and documentation and proposed resolutions. Examples of relevant facts and documentation include, but are not limited to, a description in detail of the nature of the concern, the time and date when the basis for the concern is alleged to have occurred, the names of all persons alleged to be involved in the concern, and any supporting materials.

If applicable, the employee must also identify any policy, procedure or other requirement the employee believes has been violated. In response to any concern brought to the attention of a supervisor, the supervisor will work with the employee and other related parties, if applicable, to understand the concern and either (a) resolve the concern or (b) explain why the concern cannot be resolved. Please note that the Research Foundation may be limited in its ability to resolve concerns that have not been raised in a timely manner.

If an employee does not feel comfortable reporting the issue directly to his/her supervisor, the employee may proceed directly to Step 2.

### **Step 2.**

If attempts to resolve the conflict with the employee's immediate supervisor(s) do not succeed or the concern involves actions by the supervisor, the employee may request assistance in writing from the campus HR Office to resolve the conflict. This request must be made within 60 calendar days of the employment action taken (for example, disciplinary action, did not receive a raise, a less than satisfactory performance evaluation) or the most recent occurrence of the complained of behavior. If the 60th day would fall on a Saturday, Sunday, or recognized campus holiday, the request must be made by the next business day. The written concern must include information regarding the concern, including relevant facts and documentation (refer to Step 1 for examples of relevant facts and documentation) and proposed resolutions, and explanation as to why the supervisor's response was not satisfactory (if applicable). If applicable, the employee must also identify any policy, procedure, or other requirement the employee believes has been violated.

The campus HR Office will work with the employee, the employee's immediate supervisor, and other related parties, if applicable, to understand the concern and either (a) resolve the concern or (b) explain to the employee why the concern cannot be resolved ("Step 2 Decision").

If the complaint involves an individual in the campus HR Office, the employee may proceed directly to Step 3.

### **Step 3.**

If attempts to resolve the conflict with the campus HR Office do not succeed or the concern involves actions by an individual in the campus HR Office, the employee may submit their concern in writing for final review to the supervising location's Operations Manager or designee within 30 calendar days of the communication of the Step 2 Decision. If the 30th day would fall on a Saturday, Sunday, or recognized campus holiday, the request must be made by the next business day. The written concern must include information regarding the concern, including relevant facts and documentation (refer to Step 1 for examples of relevant facts and documentation) and proposed resolutions, as well as an explanation as to why the campus HR Office's response was not satisfactory (if applicable). If applicable, the employee must also identify any policy, procedure or other requirement the employee believes has been violated. The Operations Manager or designee will review and provide a written response to the employee and other parties as appropriate. Their determination will be final and binding on all parties.

The Research Foundation prohibits retaliation against any employee based on the employee's good faith use of this procedure or cooperation with a review under this procedure. If employees believe they have suffered retaliation or received threats of retaliation, they should report those concerns to the campus HR Office or the Operations Manager. For additional information please refer to the [Fraud and Whistleblower Policy](#).

## **Responsibilities**

The following table outlines the responsibilities for compliance with this Procedure:

Responsible Party	Responsibility
Employees	Responsible for reporting workplace conflict under this procedure.
Supervisors	Receiving complaints of workplace conflict and working with the employee and other related parties to address the concern.
Campus HR Office	Receiving complaints of workplace conflict and conducting or overseeing internal investigations where appropriate.
Operations Manager or designee	Receiving unresolved complaints of workplace conflict, reviewing the complaint, and providing a final and binding determination.
Corporate HR Office	Creating, revising, and disseminating this Procedure to all Research Foundation operating locations. Advising campus representatives and employees regarding this conflict resolution procedure.
Office of General Counsel	Advising campus representatives and employees about complaints brought under this conflict resolution procedure.

## Definitions

*Campus HR Office* - any individual in the office that handles your RF human resources matters. Contact any individual in HR at Central Office if you do not know who to contact, and you will be given information on the appropriate contact.

*Operations Manager* - An individual appointed to the position of operations manager by the Research Foundation. Contact information for the designated Operations Manager can be found on the Research Foundation website.

## Related Information

[Equal Employment Opportunity and Antidiscrimination Policy](#)

[Employee Handbook](#)

[Code of Conduct](#)

[Procedure for Resolving Discrimination, Harassment, and Retaliation Complaints](#)

## Forms

None

## Change History

Date	Summary of Change
January 5, 2018	New Procedure. Supersedes obsolete "Solving Workplace Problems" procedure.

## Feedback

Was this document clear and easy to follow? Please send your feedback to [webfeedback@rfsuny.org](mailto:webfeedback@rfsuny.org).