

LOYOLA MARYMOUNT UNIVERSITY
HUMAN RESOURCES POLICIES AND PROCEDURES

DIVISION: ADMINISTRATION/HUMAN RESOURCES	
SUBJECT: Open Door Policy	Page 1 of 4
Policy Number:	Supersedes: Complaints/Grievances
Effective Date: 12/15/15	Previously Issued: 07/22/09

1. STATEMENT OF POLICY:

Loyola Marymount University believes that open communication within an atmosphere of mutual trust and respect is of primary importance to the maintenance of a healthy and productive work environment. Accordingly, LMU encourages staff members to meet and discuss problems or concerns relating to their employment directly with supervisory and management personnel by maintaining an open door policy. Ideas or suggestions on improved work methods and procedures are also welcomed through this open door policy.

2. DEFINITIONS

“Complaint” – For purposes of this policy, a “complaint” means any dispute or question concerning application of any University policies and procedures or any employment-related decision or conduct, except conduct that is believed to be discriminatory or harassing. Any complaint of discriminatory or harassing conduct pursuant to the University's “Statement of Non-Discrimination” and “Discriminatory Harassment and Complaint Process” policies must be reported as set forth in the "Reporting Allegations of Discriminatory or Harassing Conduct" sections of the Discriminatory Harassment and Complaint Process policy.

3. POLICIES/PROCEDURES:

The objective of this policy is to encourage open dialogue and resolve issues that arise during the course of a staff member’s employment with LMU. In most cases, discussing a problem or concern with the staff member’s direct supervisor is the most effective and efficient way to resolve issues. If a staff member’s direct supervisor is unable to provide assistance, or if he/she has a strong personal reason for not presenting the issue to his/her direct supervisor, the staff member may contact the next higher level manager or Human Resources in addition to, or in lieu of, contacting the staff member’s direct supervisor. Every level of management, including the Vice President of Human Resources and the University Vice President responsible for the staff member’s department, is available to help resolve staff complaints.

Occasionally, a staff member may have a problem or concern that is not satisfactorily resolved through the informal open door policy. If that occurs, the staff member may use the following problem-solving procedure, which is designed to be fair, fast and effective in resolving workplace disputes. This problem-solving procedure is part of the University’s overall effort to keep an open line of communication with its staff. However, the University reserves the right to depart from this procedure, in whole or in part, in any given case. Furthermore, nothing stated herein should be construed as guaranteeing staff any particular benefits, procedures, terms or conditions of employment, or as otherwise limiting the prevailing “at-will” employment relationship between the University and its staff members.

Although the University cannot guarantee that in each instance the staff member will be satisfied with the result, the University will attempt in each instance to explain the result to the staff member if he/she is not satisfied. To the extent possible, the University also will attempt to keep all such expressions of concern, the outcome of any resulting investigation and the terms of the resolution of the matter confidential. However, in the course of investigating and resolving the matter, some dissemination of information to others may be necessary or appropriate.

Because the following are internal processes, legal counsel may not appear on behalf of a staff member in any meetings or termination review hearings. A staff member seeking resolution of a complaint may seek advice and assistance from Human Resources – Staff Relations at (310) 338-2723.

Open Door Complaint Process

Step 1: A staff member having a complaint will first present it orally to his or her supervisor within six months of the incident giving rise to the complaint. The supervisor will meet with the staff member and attempt to resolve the complaint.

Step 2: If the staff member is not satisfied with the resolution of the complaint in Step 1, the staff member may, within a reasonable amount of time after the supervisor's decision, reduce his or her complaint to writing and present it to the next highest level of management. That manager will meet with the staff member as soon as practicable and discuss the complaint. The manager may conduct an investigation to seek further information. Within a reasonable amount of time after completing any investigation of the complaint, the staff member will be notified of the decision on the complaint. If the next highest level of management is the Department Vice President, the process will proceed under Step 3.

Step 3: If the staff member is not satisfied with the answer received in Step 2, the staff member may, within a reasonable amount of time, request in writing review by the Department Vice President. The Department Vice President will meet with the staff member as soon as practicable, discuss the complaint, and may conduct an additional investigation. The Department Vice President will provide the staff member with a written answer to the complaint within a reasonable amount of time. The Department Vice President's response to the complaint will be final. If the Department Vice President responded to the complaint in Step 2, the complaint will be directed to the appropriate Senior Vice President under Step 3.

Alternative to Steps 1-3: Review of Involuntary Termination of Employment

In the case of an involuntary dismissal, and as an alternative to Steps 1-3 above, a staff member may request a termination review hearing ("Termination Hearing"). Requests for a Termination Hearing must be submitted in writing by the staff member to a Staff Relations representative in Human Resources within 10 working days after receiving notification of the termination decision. The Staff Relations representative will notify the staff member's immediate supervisor of the hearing request within 5 days of receipt of the request.

A Termination Review Panel will be convened to review the dispute within 20 working days after receipt of the written request for the Termination Hearing. If additional time is needed to convene the Termination Review Panel, the 20 days may be extended.

The Termination Review Panel will consist of five panelists. The staff member will nominate four panelists, preferably at his/her own organizational level. Department management will nominate four, management staff members from outside its Division.

The panel members selected by the staff member and by the Department must:

- Have completed their introductory period;
- Not be an attorney, and
- Not have a personal interest in the problem or its resolution.

In addition, there will be an HR Representative who will preside over the hearing as the Termination Review Panel Chairperson. The HR Representative will only act as a panelist if there is a split decision between the Panel members.

The Vice President of Human Resources will make the final selection of the panel members from the nominees and will designate the HR Representative who will act as the Termination Review Panel Chairperson. Once selected, Termination Review Panel Chairperson will provide at least ten (10) calendar days notice to the staff member and the staff member's department head of the date of the hearing.

The department may select an individual to serve as a departmental representative during the Termination Hearing.

The staff member seeking review of a termination decision may select a University staff or faculty member to serve as an advisor during the proceedings. An advisor must be a University faculty or staff member that has completed his or her introductory period, is in good standing with the University, is not an attorney, and is not in the same reporting structure as the staff member seeking review of the termination decision.

Each side will be allowed 60 minutes during which to present their position. The staff member will present first. The Department representative will present second. Each side will be afforded an additional 30 minutes to respond to the other side. After the presentations and responses, time will be allowed for the panelists to ask questions. At the conclusion of the questions, both sides will be dismissed.

After the presentation of all testimony and evidence by both parties, the Termination Review Panel will immediately convene privately and conduct an impartial review to determine its recommendations regarding the termination decision. The HR Representative will submit to the appropriate Senior Vice President a report containing the Termination Review Panel's recommendations regarding the termination decision within ten (10) calendar days from the adjournment of the hearing. If additional time is needed to complete the review, the 10 days may be extended.

Information obtained during a Termination Hearing and the final recommendation of the Termination Review Panel is confidential. Only information required to satisfy the reporting provisions of this Termination Review Hearing procedure may be released unless otherwise approved by the appropriate Senior Vice President.

The Senior Vice President is responsible for the final disposition of the case within 10 working days after receiving the written report from the Termination Review Panel. If the Senior Vice President needs

additional time, the 10 day period may be extended. The decision whether to adopt the recommendations of the Termination Review Panel is at the sole discretion of the appropriate Senior Vice President.

When the Senior Vice President has reached a decision, the Chairperson of the Termination Review Panel will communicate this decision in writing to the complaining staff member and the complaining staff member's department head. The decision of the Senior Vice President is final.

Approved: 10/2008
