

GRIEVANCE PROCEDURES General Complaints

Grievance procedures for specific college rules and regulations differ depending on the nature of the complaint. Any student or staff member who has a grievance against another member of the college community may receive help with processing a complaint or in filing a petition of complaint in the Student Affairs Office Frese Hall suite 101, or may go to the Office of Diversity and Compliance in Kiely Hall suite 164.

- Meet with the Compliance Officer Cynthia Rountree Esq. and a Complaint/Grievance form is filled out.
- The ADA Compliance Officer will investigate the incident.
- Investigation activities include meeting with and speaking to involved individuals, discussion with ADA Regional Center Representatives, and writing up a complete report on the findings. If the individual who filed the complaint does not agree with the Compliance Officer's findings, he or she has the option to request further review:
 - a. Staff or faculty members may go to their union and/or the Office of Compliance & Diversity Programs.
- The Compliance Officer will write up a report on the findings and meet with the individual that filed the grievance to report and resolve the grievance.

Sexual Harassment Issues

1. Charges against a Student Employee

Per ADA Regulations, if a disabled student who is employed at Queens College is alleged to have conducted himself or herself inappropriately and/or committed an act of sexual harassment against another employee, the employer must clarify if the employee being charged meets the ADA definition of Employment Qualification prior to pressing charges and taking action in any manner

Before charging a disabled student employee with an act of sexual harassment, the department/office supervisor must establish that the individual meets the following criteria under ADA Employment Qualifications:

- a. The individual must be qualified to do the essential functions of his/her job, according to the job description.
- b. The individual understands jobs rules and regulations.
- c. The individual has had sexual harassment training during the employment orientation period.
- d. The individual can retain that information, for a known period of time.

If the student employee is found to meet the above employment qualification criteria, then he or she can be charged with sexual harassment, and if terminated would be terminated under the ADA's "Violation of Work Codes."

2. Charges against a Student

If the alleged violator is a student, then the situation falls under the ADA Qualification Criteria for a student:

- a. The individual must be qualified to attend a college as a student.
- b. The individual must have met all college requirements for enrollment.

If the student is found to meet the above criteria, he or she is subject to compliance with all college requirements, codes of ethics, and regulations of the institution. If the student commits an infraction of any of the regulations and codes, then the student can be expelled under the ADA's "Violation of School Codes."

Source: Human Resources Management Solutions. Inc. Ms. Deborah Tjaden (January 4, 2006), Washington DC. 302-234-2800; www.hrmsinc.com