

EMPLOYEE COMPLAINT MANAGEMENT

DEQ encourages resolution of disputes within the DEQ quickly, informally and at the lowest possible level. This Administrative Procedure addresses employee complaints, formerly termed grievances. The Civil Service Division of OMES will adjudicate complaints arising from termination, suspension without pay, involuntary demotion, and punitive transfer. The Civil Service Division will also accept complaints arising from written reprimand and punitive transfer and will assign such complaints to mediation. Complaints involving all other matters (other than discrimination complaints as discussed below) will be referred to the employee's division management for resolution.

DISCRIMINATION COMPLAINTS

- A. A discrimination complaint must be filed within 20 days after the date of the act or incident, or within 20 days of the date the employee becomes aware of or, with reasonable effort, should have become aware of an issue.
- B. The Executive Director has designated the Director of Administrative Services as the Third-Party Decision Maker for discrimination complaints.¹
- C. Employees may file or fax a completed DEQ Complaint Form to the Human Resources Administrator within the filing deadline listed above. The form may be obtained from the Human Resources Administrator in ASD, who can be reached by calling 405-702-0197.
- D. After a complaint has been filed, the HR Administrator will advise the manager and each subsequent decision-maker that a formal complaint has been filed.
- E. Human Resources will assign a Certified Discrimination Complaint Investigator to investigate the matter within 7 days after it has been filed.
- F. The investigator will complete an impartial investigation within 28 days of referral. The investigation may include, but is not limited to, identifying and interviewing witnesses, interviewing the accused and accuser, and reviewing all pertinent documents.
- G. After concluding the investigation process, the investigator will prepare a thorough written report of the facts discovered in the investigation and submit the report to the Third-Party Decision Maker. Within 10 days of receiving the report, the Third-Party Decision Maker will provide a final written decision to the employee, either hand-delivered or delivered by registered mail, with copies to the Human Resources Administrator, the Division Director, and the Complaint Investigator.

DISCRIMINATION COMPLAINT DEADLINES

- A. A complaint shall be resolved within 45 days after it is filed. The Administrative Services Division Director may extend the time another 15 days for good cause. The ASD Director and the employee may mutually extend the time up to an additional 30 days for good cause. All complaints must be resolved within 90 days.

¹ In any case in which there is or might be a conflict of interest, the Executive Director may designate an *ad hoc* Third Party Decision Maker to act in lieu of the ASD Director. In such cases, references in this APM to the ASD Division Director shall mean the *ad hoc* Third-Party Decision Maker.

Oklahoma Department of Environmental Quality
Administrative Procedures Manual

- B. Deadlines are based on calendar days. However, if a deadline occurs on a day the DEQ is not open for business, the deadline continues to the next business day.
- C. The Human Resources Administrator will review each complaint to determine if it was filed within the time limits. Within 7 days after it is filed, the HR Administrator will either (1) accept the complaint and refer it to a certified investigator; or (2) reject the complaint and send the employee a written notice explaining why the matter is being rejected.

ADOPTED by:



Date Signed: 2-8-22