



Administrative Policy #: 1202
Title: Employee Complaint Resolution
Effective Date: Sep. 30, 2025

SECTION 1. PURPOSE & SCOPE

- 1.1. PURPOSE: The purpose of this policy is to establish a clear, consistent framework for addressing employee complaints, concerns, and workplace disputes. This includes procedures for informal resolution, formal complaints, and the statutory grievance process, as well as outlining the responsibilities of the Office of Human Resources (HR) in managing and investigating these matters.
- 1.2. SCOPE: The policy applies to all Fairmont State University employees and governs the resolution of workplace concerns, including misconduct, policy violations, retaliation, harassment, discrimination, and general employee grievances. It outlines the support and procedures available through HR and details employees' rights and responsibilities when addressing workplace concerns.

SECTION 2. APPROVAL, DELEGATION & APPLICABILITY

- 2.1. AUTHORITY: The Director of Human Resources has authority over this policy and its implementation to manage the day-to-day administration of complaints and investigations.
- 2.2. DELEGATION: The authority to receive and investigate complaints may be delegated by the Director of Human Resources to HR staff. Disciplinary decisions based on investigation outcomes are delegated to the departmental leadership, with input from HR.
- 2.3. APPLICABILITY: This policy applies to all Fairmont State University full-time and part-time staff and faculty members, including supervisors and administrators.

SECTION 3. DEFINITIONS

- 3.1. COMPLAINT: An expression of dissatisfaction or concern regarding workplace conduct, practices, or policy violations.



- 3.2. GRIEVANCE: A formal process under WV Code §6C-2-1 et seq. used by employees in permanent positions to address specific workplace disputes.
- 3.3. INFORMAL RESOLUTION: An attempt to resolve issues at the local level, typically involving the employee's direct supervisor or HR, without initiating formal investigation.
- 3.4. FORMAL COMPLAINT: A documented complaint submitted to HR requesting an official investigation into alleged misconduct or policy violations.
- 3.5. INFORMAL COMPLAINT: A documented complaint submitted to HR requesting informal resolution.
- 3.6. RETALIATION: Adverse action taken against an individual for engaging in protected activity under this policy, including filing a complaint or participating in an investigation.

SECTION 4. POLICY

- 4.1. It is the policy of Fairmont State University to encourage open, honest communication between employees and supervisors to maintain a positive and productive work environment. HR serves as a central resource to promote effective working relationships, provide guidance, and support resolution of workplace issues.
- 4.2. Employees are expected to make reasonable efforts to resolve concerns informally through their supervisor. If informal resolution through a supervisor is not possible or appropriate, employees may file formal or informal complaints through HR.
- 4.3. All complaints will be handled promptly, confidentially, and in accordance with University policy. HR investigates formal complaints using a standard of "preponderance of evidence" and may issue investigative reports outlining findings of fact and potential policy violations. Even if an employee only requests informal resolution, HR, in consultation with the President and the Office of General Counsel, may determine that an official investigation is warranted.
- 4.4. HR does not impose disciplinary action but refers to the appropriate department leadership.
- 4.5. Fairmont State University strictly prohibits retaliation against any individual who engages in this process and will take disciplinary action against employees found to have retaliated against others.



- 4.6. Nothing in this policy shall be construed as limiting the University's authority to investigate matters in the absence of a formal or informal complaint, including, without limitation, misconduct, policy violations, retaliation, harassment, and discrimination.

SECTION 5. COMPLIANCE

- 5.1. COMPLIANCE: This policy complies with the West Virginia Public Employees Grievance Procedure (WV Code §6C-2-1 et seq.), state and federal employment laws, and applicable institutional policies. It aligns with investigative standards used by civil courts and enforcement agencies. HR investigations are administrative in nature and not legal proceedings.
- 5.2. INFRACTIONS: Retaliation will result in disciplinary action.

SECTION 6. REVISION HISTORY

- 6.1. FREQUENCY OF REVIEW: This policy shall be reviewed every three (3) years, or more frequently if required by changes in law or institutional practice.
- 6.2. APPROVED: Approved by the President on Jul. 8, 2025.
- 6.3. REVISED: Amendments approved by the President on Sep. 30, 2025.