

DISPUTE RESOLUTION PROCESS OF BRYN MAWR COLLEGE

The Mission Statement of Bryn Mawr College states that the College “seeks to sustain a community diverse in nature and democratic in practice, for we believe that only in considering many perspectives do we gain a deeper understanding of each other and the world.” Further, in the Plan for the New Century the President suggests that the success of the organization is dependent both upon the success of individuals at every level and upon our ability to relate to and interact effectively with one another in a workplace “grounded in principles of fairness and mutual respect.” (p.17)

Bryn Mawr College is committed to providing its employees with an equitable and respectful work environment. However, even in the best of places conflicts occur and misunderstandings happen. In such instances it is in the best interest of the parties and the College to have a process which allows for impartial review and swift resolution of issues. Of course, it is the expectation of the College that employees will make their best efforts to resolve their differences informally and that in most instances those efforts will be successful.

When those informal efforts are unsuccessful, an employee who believes that she or he has been unfairly treated or is dissatisfied with her or his working conditions may file a grievance. This policy applies to all employees of the College. Grievances affecting two or more employees can be brought as a group grievance. Grievances may be brought under this Dispute Resolution Process only if there is no other grievance available under College policy. For example, grievances involving claims of discrimination on the basis of race, color, religion, age, national origin, handicap, or sex (including sexual harassment and/or sexual orientation) should be handled through the Policy on Sexual Harassment and other forms of Harassment and Discrimination. Moreover, grievances may not be brought to overturn College policy; rather they may be brought to challenge whether College policy has been followed in a particular case.

STEP 1: An employee who has a dispute shall discuss the dispute with the Director of Human Resources. A written document (see attached) shall be presented in order to initiate the formal dispute resolution process. The Director will encourage the grievant to resolve the complaint informally with the respondent.

STEP 2: If agreement is not reached, the grievant may take one of two steps. EITHER the grievant may ask for mediation of the grievance with a designated mediator OR may ask to go directly to a Review Panel. Mediation is defined as a process for resolving a dispute in which a designated third person helps the parties to resolve the issue. The process is completely confidential. Employees are encouraged to bring unresolved disputes to mediation. This informal step in which the parties work with an impartial third party who has expertise in conflict

resolution and communication skills is often successful because the grievant and respondent have mutual control over the outcome. They craft their own resolution that is satisfactory to both parties. If the grievant goes to mediation and the dispute is still not settled the grievant may then go to the Panel.

STEP 3: If mediation is unsuccessful, or if the grievant chooses to skip step 2, the case goes to a Review Panel made up of 3 people chosen from a list of 10 trained panelists. The panelists are College community members who serve for one year. The grievant chooses one person from the list, the respondent chooses one, and the two selected panel members choose a third. The Panel will choose a Chair from among themselves. The Chair manages the hearing proceedings, which shall be conducted in an informal manner.

Hearings are confidential and only the parties, members of the Panel, and the Director of Human Resources shall be present. Witnesses may only be present at the hearing when making their statement or answering questions from the Panel.

Each party will have an opportunity to explain his or her position and describe any special circumstances. Generally, the grievant will speak first and state the substantive basis for the dispute. The respondent is then asked to provide his or her response. Members of the Panel may question either party at any time.

The Panel shall then meet privately to make its decision. The Panel, including the Chair, shall attempt to reach a unanimous decision regarding the dispute. If that is not possible, the matter will be decided by majority vote. The Panel will rule that the original event/action it has been asked to review shall be upheld, overturned, or modified. The Panel shall prepare a written report documenting its resolution of the dispute.

The report will be submitted to the parties and to the Director of Human Resources who will ensure appropriate implementation. The judgment of the Panel is final unless appealed to the President.

STEP 4: If either party submits a written appeal within five days of receiving the decision, the President may review the decision and make a decision which is final and shall conclude the College's review of the dispute. The President will review all materials from the hearing, but in no case shall hear new evidence. The President may uphold any decision, reverse that decision, or call for a new hearing.

Making use of the dispute resolution process will in no way affect job standing, salary, or opportunity for advancement. No retaliation against employees who file a grievance will be tolerated. If a grievant believes this is happening, he/she should report it to the Director of Human Resources immediately and appropriate action will be taken.

BRYN MAWR COLLEGE

DISPUTE RESOLUTION FORM

NAME OF EMPLOYEE _____

DEPARTMENT _____

DATE OF INCIDENT OR OCCURRENCE _____

SUMMARY OF DISPUTE:

If additional space is needed attach additional pages.

SUGGESTED RESOLUTION:

If additional space is needed attach additional pages.

DATE SUBMITTED FOR FILING: _____

SIGNATURE OF EMPLOYEE: _____

TO BE COMPLETED BY HUMAN RESOURCES OFFICE:

DATE FILED: _____

SIGNATURE: _____