

AMERICORPS GRIEVANCE POLICY AND PROCEDURES

CNVS AEAP has a grievance procedure which is intended to apply to service-related issues, such as assignments, evaluations, suspensions, or release for cause, as well as issues related to non-selection of members, and displacement of employees, or duplication of activities by AmeriCorps.

INFORMAL RESOLUTION:

The Member and Program will resolve the matter informally whenever possible. If this cannot occur, the complainant may seek resolution through alternative means of informal Alternative Dispute Resolution (ADR), such as mediation or facilitation.

1. The opportunity for ADR must be provided within 45 calendar days of the alleged occurrence.
2. At the initial session, the aggrieved must be informed in writing of their right to file a formal grievance, and of their right to arbitration.
3. A neutral, third party must facilitate the proceedings, and function specifically to aid the parties in resolving the matter through mutually achieved and acceptable written agreement. The neutral third party must not have participated in any previous decisions concerning the issue in dispute and may not compel a resolution. The neutral party may not participate in subsequent proceedings.
4. The proceedings must be informal, confidential, not binding (unless both parties agree), and no communications or proceedings of ADR may be referred to at the grievance hearing or arbitration stages.
5. If the matter is not resolved within 30 calendar days from the date the informal dispute resolution process began, the aggrieved must again be informed in writing of their right to file a formal grievance.
6. At any time, the aggrieved party may decline ADR and proceed directly to the hearing process.

FORMAL GRIEVANCE:

The aggrieved party should make a written request for a hearing to CNVS AEAP. An aggrieved party may request a grievance hearing without participating in ADR or, if ADR is selected, if it fails to result in a mutually agreeable resolution.

1. Grievances must be filed with CNVS AEAP within one year of the date of the alleged occurrence.
2. CNVS will conduct a hearing no later than 30 calendar days after the filing of a formal grievance.
3. The Member can submit a written request that includes, to the best extent possible, the following information:
 - a) The full name, telephone number, email, and address of the person making the complaint;
 - b) The full name and address of the party against whom the complaint is made, or other information sufficient to identify the party against whom the complaint is made;
 - c) A clear and concise statement of the facts, as alleged, including pertinent dates, constituting the alleged violations;
 - d) The provision of the act, regulations, grant, contract or other agreements under the act believed to have been violated; and
 - e) The relief requested.
4. If the grievance pertains to a disciplinary decision, the Program should make available to the aggrieved party information that it relied upon in its disciplinary decision.
5. The CNVS AEAP Coordinator may conduct a pre-hearing conference with the aggrieved party or parties. Pre-hearing conferences are not a substitute for a hearing. They are intended to facilitate a mutually

agreeable resolution of the matter to make a hearing unnecessary or to narrow the issues to be decided at the hearing. The format of the pre-hearing conference may be flexible, involving meetings with one party at a time and/or with both parties together. The CNVS AEAP Coordinator will document pre-hearing conference outcomes and submit these to the aggrieved party and to the party conducting the hearing.

6. A CNVS Designee will conduct the grievance hearing. The person conducting the hearing may not have participated in any previous decisions concerning the issue in dispute. The hearing must occur within 30 calendar days after the filing of the grievance.

7. A written decision will be made no later than 60 calendar days after the filing of the grievance.

FILING AN APPEAL:

An aggrieved party may request binding arbitration if a grievance hearing decision is adverse or if no decision is made within 60 calendar days of the filing of the grievance.

1. A written request for binding arbitration must be received by CNVS AEAP.

2. The arbitrator must be independent and selected by agreement of the parties. If the parties cannot agree on an arbitrator, the Corporation's Chief Executive Officer will appoint one within 15 calendar days after receiving a request from one of the parties.

3. An arbitration proceeding will be held no later than 45 calendar days after the request for arbitration, or no later than 30 calendar days after the appointment of an arbitrator by the Corporation's CEO.

4. An arbitration decision will be made no later than 30 calendar days after the commencement of the arbitration proceeding.

5. The cost of arbitration will be divided evenly between the parties, unless the aggrieved party prevails, in which case the Program will pay the total cost of the proceeding as well as the prevailing party's attorneys' fees.

For informal complaints or concerns, please contact your AmeriCorps Program Director or CNVS AEAP at 301-270-0900 ext. 17 or 20.

To file a formal grievance, submit the following information in writing to the CNVS AEAP Coordinator:

1) The full name, telephone number, email, and address of the person making the complaint;

2) The full name and address of the party against whom the complaint is made, or other information sufficient to identify the party against whom the complaint is made;

3) A clear and concise statement of the facts, as alleged, including pertinent dates, constituting the alleged violations; (*please be as specific as possible*)

4) The provision of the act, regulations, grant, contract or other agreements under the act believed to have been violated; and

5) The relief requested.