



ST. JOSEPH HOSPITAL

Original: 11/1969
 Review: 01/2016
 Next Review: 01/2019
 Policy Champion: Wesley Layne: Director of Human Resources
 Policy Area: HR - Employment
 Applicability: Nashua St. Joseph Hospital

Dispute Resolution Procedure, HR-15

PURPOSE:

To provide a procedure for an expeditious resolution of employee disputes with respect to employment. This policy applies to employees who have completed a minimum of 90 days of employment. This procedure is not available to temporary employees or employees in the first 90 days of their employment, although these employees still have the right to voice concerns to their supervisor, Human Resources, Compliance Officer or CHS OI Hotline.

1. To provide the employee with a means of being recognized and heard.
2. To alert management to causes of employee concerns.
3. To provide a mechanism to insure prompt handling of employee disputes.
4. To resolve employee disputes.
5. To maintain a high level of employee morale.

This policy is not intended to nor does it alter in any manner the at-will nature of the employment relationship, as set forth in other Company policies.

By adopting this policy, the Company is not seeking to limit the free flow of communication or any of the legal rights held by its employees or restrict employees from discussing their wages, hours and working conditions with co-workers and others while not at work. Additionally, nothing herein should be construed to prohibit communications which would be permitted under applicable law, including but not limited to the National Labor Relations Act.

Non-retaliation. The Company will not tolerate retaliation against an employee who in good faith reports inappropriate conduct, submits a dispute, participates in an investigation regarding a dispute or otherwise participates in a related proceeding or hearing where the employee's supervisor has knowledge of the employee's use of this procedure. Any employee who feels he/she has been retaliated against for submitting a dispute under this policy should contact the Director of Human Resources or Compliance Officer.

Confidentiality. To the extent possible and consistent with adequate investigation and appropriate corrective action, all of the proceedings set forth in this policy are confidential, and any information related to those proceedings shall not be disclosed except on an as-needed basis as required during the ordinary course of the Company's business.

This is a voluntary internal procedure for resolving employee disputes and therefore, non-employees are not permitted to be a part of the process. Participation is further limited to the employee and the decision maker at

each step. If witnesses are needed, the decision maker may, as part of the investigation, contact other individuals or review documents at his/her sole discretion.

Employees are free to seek guidance and counseling from the Director of Human Resources or may go to the next level of management at any point during this process if they feel uncomfortable speaking to a particular person in the chain of command.

POLICY:

1. All employees will be made aware that a dispute resolution procedure exists. This will be done at the time of hire through system-wide orientation.
2. An employee dispute presented under this procedure should be regarded as an opportunity to correct the cause of dissatisfaction. It should be given careful consideration and prompt action.
3. Every effort should be made to resolve employee disputes at the lowest management level. An employee wishing to utilize this procedure should initially discuss his/her dispute with his/her immediate supervisor. If it is not satisfactorily resolved, the employee may then proceed through the successive levels of administration as established by this policy.
4. An employee may use company time for such purposes as obtaining advice on rights and privileges under company policies and obtaining such information or assistance.
5. Meetings or hearings held under this policy will be occur during the normal working hours without loss of pay or earned time on the part of the employee (unless employee has been terminated) or other individuals involved in this process.
6. Upon request, the Director of Human Resources may be present as an advisor at Steps #1 and #2 of the process.
7. Claims not covered by this Dispute Resolution Procedure are claims; (a) for workers' compensation benefits; (b) for unemployment compensation benefits; (c) based upon the Company's current (successor or future) stock option plans, employee benefits and/or welfare plans that contain an appeal procedure or other procedure for the resolution of disputes under the plan; (d) brought by federal, state, or local governmental offices in criminal court against you or the Company; and (e) already filed with a court or government agency before implementation of these procedures.

Employee concerns that are appropriate for this Dispute Resolution Procedure include but are not limited to:

- Written warning, suspension or termination
- Eligibility for fringe benefits except those provided under insurance plans
- Promotions or transfers to other positions
- Safety Concerns

Employee concerns that are inappropriate for this Dispute Resolution Procedure include but are not limited to:

- Claims of harassment or discrimination
Note: any claims of harassment or discrimination should be reported using the reporting procedure as set forth in Policy "[Harrasment, HR-40](#)".
- Pay grade assignments, rates of pay, salary increases (please call Director of Human Resources).

NOTE disputes regarding the issues below should be brought to the attention of your manager, Director of HR:

- Staffing, scheduling and workload decisions
- Hiring decisions
- Job description content
- Changes in Company policies
- Performance evaluations

PROCEDURE:

1. STEP ONE:

The employee must present his/her dispute to the immediate supervisor within 15 working days of its occurrence. This presentation may be verbal or in writing and should be handled informally between the employee and the immediate supervisor. Every effort will be made to hold the informal meeting within five working days from the date of the presented dispute or at a time agreed to by the parties involved.

If the employee is dissatisfied with the supervisor's response, he/she has five working days to notify his/her immediate supervisor and the director of the area of the intent to go to Step #2.

If, because of the nature of the dispute, an employee is not comfortable presenting his/her dispute to the immediate supervisor, the employee may bypass Step #1 and proceed immediately to Step #2.

Past experience shows that most problems can be settled by simple examination and discussion of the facts and every effort will be made to resolve the issue at this level.

2. STEP TWO:

This step will involve the employee, immediate supervisor and the director of the area. Every effort will be made to hold the informal meeting within five working days from the notification by the employee of his/her intent to pursue the process. The presentation may be verbal and will be handled as informally as possible. The director will present his/her verbal response to the employee within five working days from the close of the meeting. The Director will document his/her response for the record.

If the employee is dissatisfied with the director's response, he/she has **five** working days to notify the Director of Human Resources of the intent to go to Step Three. This notification must be in writing, accompanied by the employee's written statement describing in detail his/her dispute.

3. STEP THREE:

The employee's statement and any related documents will be forwarded to the vice-president of the area involved by the Director of Human Resources. The employee will meet with their vice-president.

If the employee is dissatisfied with the vice-president's response, he/she has **five** working days to notify the Director of Human Resources of the intent to go to Step Four. This notification must be in writing, accompanied by the employee's written statement describing in detail his/her dispute.

4. STEP FOUR

Step Four is a record review by the President/CEO who will issue a written decision within five working days. This decision will be based on a review of the facts and recommendations presented and will be the final decision.

RESPONSIBILITY:

It is the responsibility of all concerned to assure the success of this policy. It is the sole responsibility of the employee, however, to comply with all notification deadlines.

The action taken at each step of the process should be as rapid as possible. High morale should be maintained. All activities within the company should be observed regularly and investigated as is appropriate to ensure that personnel difficulties are being handled properly. This is a continuing responsibility of all supervisors at all levels of supervision.

Attachments:

No Attachments

Approval Signatures

Committee	Approver	Date
Director of Human Resources	Shirley Lussier: Director of Human Resources	01/2016
	Shirley Lussier: Director of Human Resources	01/2016

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