



EMPLOYEE AND STUDENT COMPLAINT FORM AND GRIEVANCE PROCEDURE FOR ALLEGED VIOLATIONS OF PROTECTIONS FOUND IN NOTICE OF NON-DISCRIMINATION

To file a complaint with the University regarding an alleged violation of any tenets of the Notice of Non-Discrimination found below, please complete and email to **ADA@mercyhurst.edu**. If you are unable to complete this form and would like to make a verbal complaint, please call **814-824-2362**.

Mercyhurst University values diversity and is committed to the goal of achieving equal opportunity for all. For that reason, Mercyhurst abides by federal, state and local law in admissions, employment and all services and programs provided. Mercyhurst does not unlawfully discriminate on the basis of race, color, religion, creed, sex, citizenship status, ancestry, national or ethnic origin, age, familial status, sexual orientation, physical or mental disability, military or veteran status or any other legally protected characteristic or because of any individual's legally protected activities. Mercyhurst complies with federal, state and local legislation and regulations regarding nondiscrimination. This policy applies to faculty, administration and staff, applicants for employment, students and applicants for education programs and activities. Mercyhurst University prohibits sexual harassment, including sexual violence.

WITNESSES

Please list the names of the witnesses, their relationship to you and their contact information. (The relationship information requested means co-worker, supervisor, faculty member, student, friend, etc.)

COMPLAINANT

Please answer the following questions to the best of your ability in full description. Use as much detail as possible and write as much as you feel is necessary. Supplemental sheets may be attached to provide additional detail regarding the alleged violation. When the packet is complete, please submit to the ADA Coordinator by email at ADA@mercyhurst.edu.

1. Describe the alleged violation of the protections in the Notice of Non-Discrimination, specifically describing the incident(s) as clearly as possible; include date(s), location(s), the presence of any witnesses, verbal statements (threats, requests, demands etc.), physical contact, denial of services, etc.
2. List the name(s), department(s), and position of the person(s) that allegedly violated a protection found in the Notice of Non-Discrimination.
3. List the names of other students or employees who might have been subject to the same or similar discrimination or retaliation acts.
4. For retaliation complaints, please explain why you believe someone retaliated against you.
5. Include any other information that is relevant to the complaint.

Return this form to:

ADA Coordinator • 501 East 38th Street • Erie, PA 16546 | Phone: 814-824-2362; fax: 814-824-2020 | Email: ADA@mercyhurst.edu

GRIEVANCE PROCEDURE

Any employee or student who believes they have been denied the protections provided for in the Non-Discrimination Notice by the University, should contact the ADA Coordinator at 824-2362 or ADA@mercyhurst.edu to report the situation. Upon receiving a formal written complaint of the incident(s), the ADA Coordinator or their designee will promptly investigate the incident, when the incident involves an employee as the respondent. Absent a formal written complaint, the ADA Coordinator or their designee will attempt to work with the parties on an informal resolution. Complaints involving students as the respondent will be referred to the Student Conduct Office for investigation and resolution.

The ADA Coordinator or their designee will prepare a written report of the findings of the investigation and present those to the appropriate Vice President or area supervisor. The ADA Coordinator will work in conjunction with the appropriate Vice President, or area supervisor to determine the appropriate corrective action to be taken, if it is determined that a violation of the Notice of Non-Discrimination policy has taken place.

Anyone alleging a violation of the policy need not report such violation directly to any individual who is alleged to have engaged in the behavior or decision leading to the alleged violation. The right to confidentiality, both of the complainant and of the respondent, will be respected consistent with Mercyhurst University's legal obligations and with the necessity to investigate the allegations of misconduct and take corrective action where this conduct has occurred.

Any supervisor or manager who becomes aware of possible violations of the Non-Discrimination policy should promptly advise the ADA Coordinator. Mercyhurst University aims to conclude investigations within 60 days of the filing of the initial complaint, with an understanding that there may be special circumstances (timing of breaks, scheduling witnesses, etc.) which make this 60 day time frame unrealistic.

Anyone found to be engaging in discriminatory behaviors or practices will be subject to disciplinary action, up to and including termination of employment. In cases involving students who have been accused of acting in a discriminatory manner, the Student Handbook and its attendant policies on student conduct will control.

INFORMATION DISSEMINATION

Once the case is closed and complete, the following steps will be taken:

- The packet will be reviewed to make sure that all information is complete,
- A summary of the complete packet will be printed and filed (hard copy and electronically),
- Hard copies of the files will be kept in a secure location by the ADA Coordinator, with copies placed in relevant HR files as necessary.

OUTCOME NOTIFICATION

The ADA Coordinator or their designee will inform the complainant and respondent of important developments and decisions in the investigation as necessary. At the conclusion of an investigation, both the complainant and respondent will be notified in writing to inform them if a violation was determined to have occurred.

APPEALS

If the requesting individual is not satisfied with the determination of the ADA Committee, that individual may submit an appeal within seven calendar days of the decision. Appeals should be submitted to the ADA Coordinator at ADA@mercyhurst.edu. Appeals will be reviewed by an ADA Appeals Committee, composed of relevant senior administrators.

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