



Staff Complaints

The Superintendent or designee will develop a complaint procedure which will be available for all employees who wish to report a violation, misinterpretation, or inappropriate application of ESD personnel policies and/or administrative procedures and/or mismanagement, gross waste of funds or abuse of authority; or that created a substantial and specific danger to public health and safety. The complaint procedure will provide an orderly process for the consideration and resolution of problems in the application or interpretation of ESD personnel policies.

The complaint procedure will not be used to resolve disputes and disagreements related to the provisions of any collective bargaining agreement, nor will it be used in any instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning an employee's dismissal, contract non-renewal, or contract non-extension will not be processed under this procedure. Interpersonal conflicts outside the scope of this policy do not rise to the level of a complaint.

It is an unlawful employment practice for an employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported information in a manner as to disclose employer violations of any federal or state law, rule or regulation, mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

Reasonable efforts will be made to resolve complaints informally.

Procedures will be developed to outline procedural timelines and steps under this policy. The ESD will use the complaint process in GBM-AR Complaints Procedure - Staff to address any alleged violations of this policy.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[ORS 659A.199](#) to -659A.224

[OAR 581-024-0245](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).