

Resolution of Workplace Problems, Including Workplace Harassment and Discrimination

Bentley is committed to providing its employees with a positive work environment in which issues can be resolved in a timely manner. The purpose of this procedure is to establish a fair, orderly and speedy resolution of disputes relating to employment at Bentley, including concerns about workplace harassment and discrimination.

This procedure does not apply to concerns about faculty appointments, evaluations, promotions, tenure decisions, or terminations, which should be raised with the appropriate Chair or Dean. This procedure also does not apply to concerns about annual staff evaluation ratings or salary increases, which should be raised with the employee's manager. However, this procedure would apply if an employee believes that such employment actions constitute harassment or discrimination.

Union employees are covered by the grievance process outlined in their collective bargaining agreement. However, they may use this process for concerns regarding workplace discrimination or harassment, as those terms are defined in the ["Workplace Harassment"](#) policy.

Informal Resolution

Faculty and staff who have concerns about work-related conditions, including harassment and discrimination, are encouraged to first discuss their concerns with their immediate manager or their manager's manager. Managers are expected to provide a supportive environment that fosters open communication related to work life at Bentley and are encouraged to resolve work problems in the immediate work environment whenever possible. Employees are also encouraged to speak to their [Human Resources Business Partner](#) for guidance and advice when faced with concerns.

Employees may also contact the individuals listed below, who may be useful in advising and aiding an employee's own efforts to resolve a problem. Such help may involve coaching the employee in how to approach the person causing the problem and asking that the behavior stop. Alternatively, the employee may ask that one of these individuals mediate between the employees to seek resolution.

Ann Dexter
Associate VP of Human Resources
Equal Employment Opportunity Officer
Rauch 201
781-891-2640

Earl Avery
University Ombudsman
Rauch 301
781-891-2907

If the employee's concern pertains to a student and the issue is not resolved directly with the student, the employee should seek assistance from the Office of the Vice President of Student Affairs (x2161). Such complaints may also be taken to the University Police (x2201), when appropriate.

If an employee does not want to pursue informal resolution, or if the informal resolution process is unsuccessful in resolving the issue or is not feasible or acceptable to the complainant, a formal internal complaint may be filed.

Formal Internal Complaint Procedure

An individual may file a formal complaint either before or after attempting informal resolution. Employees who wish to file a formal internal complaint should fill out the [Internal Complaint form](#) and submit it to the Associate VP of Human Resources. Human Resources will forward the written complaint to the Vice President for the division in which the employee against whom the complaint is filed works. In some cases, the complaint may be directed as follows:

- If the complaint is filed against a Vice President, a copy of the written complaint instead will be forwarded to the President and the General Counsel.
- If the complaint is filed against the President, a copy of the written complaint instead will be forwarded to the Chairman of the Board of Trustees and the General Counsel.
- If the complaint is against the General Counsel, the complaint instead will be forwarded to the President.

After an employee has filed a written complaint, the following procedure will apply:

1. The Vice President (or his or her designee), the Associate VP of Human Resources/EEO Officer, and a third person they select will conduct an investigation of the complaint. This Investigatory Team will normally meet within ten business days of receipt of the written complaint. The Vice President (or his or her designee) will notify the employee who is the subject of the complaint (the "Respondent") that a complaint has been filed, and provide him or her with a copy of the complaint.
2. The Investigatory Team will develop a plan for how the investigation will be conducted. Investigations generally will begin by conducting separate meetings with the Complainant and the Respondent. The Investigatory Team will determine whether any additional individuals should be interviewed, which may or may not include people suggested by the Complainant or Respondent. The Investigatory Team may also review files and other materials they deem relevant. Every reasonable effort will be made to conclude the investigation promptly.
3. The Investigatory Team will expeditiously consider the facts of the case, make a decision and determine what action is appropriate. The Investigatory Team will keep both parties informed on a timely basis of the status of the investigation and the timetable for resolving it.
4. The decision of the Investigatory Team will be communicated to the Complainant and Respondent. The documents relating to the complaint and investigation will be retained by Human Resources.
5. The decision of the Investigatory Team is final and not eligible for appeal.
6. Disputes between or among the Investigatory Team concerning the complaint will be resolved by the General Counsel.

Conciliation/Settlement

Pursuit of the informal or formal complaint procedure does not prohibit the Complainant and the Respondent from reaching a mutually agreeable compromise or settlement of a dispute prior to the completion of the formal complaint process. Such settlement shall be reported to Human Resources by the parties.

Confidentiality

Every reasonable effort will be made to protect the privacy and confidences of all parties, consistent with and subject to Bentley's need to investigate the complaint and/or implement any resolution or disciplinary action.

Conflicts of Interest

No individual who has participated in or witnessed the alleged conduct which is the subject of the complaint shall serve as an investigator or decision maker in the complaint proceedings. If one member of the Investigatory Team has a conflict of interest, the other two members will choose a third member.

Date last revised: October 1, 2016