

Rock Valley College

Americans with Disability Act (ADA) Grievance for Employees and Job Applicants

RVC Administrative Procedure (2:10.120)

Rock Valley College is committed to providing prompt and effective resolution of incidents of discrimination and harassment pertaining to rights of employees and job seekers under the Americans with Disabilities Act, and encourages informal resolution of discrimination complaints as close to the source as possible. If an employee or job applicant believes that they are not receiving appropriate accommodations or that they are being treated in a discriminatory manner, they may follow the procedures listed below.

For concerns that are not related to a disability, employees shall follow the processes referenced in the Employee Handbook.

Informal Complaint Resolution Process

Step 1: Informal Process

Complaints specifically related to services for employees or job applicants with disabilities authorized by the department of Human Resources as required under the Americans with Disabilities Act (ADA) should be initially addressed to the Benefits & Wellness Coordinator:

Maureen Miller

Office Location: Support Services Building, room 1202

(815) 921-4756

RVC-HRBenefits@RockValleyCollege.edu

The Benefits & Wellness Coordinator will initiate a review of complaints within five (5) business days following the receipt of an informal complaint. Investigations should typically be completed within 30 business days after initiation and a decision shall be issued to the involved parties within five (5) business days of completion of the investigation.

NOTE: Individuals who submit an informal complaint to the Benefits & Wellness Coordinator are advised that the concerns raised may be reviewed with other employees within the Human Resources department on an as-needed basis (e.g. HR Business Partner or Director of HR) to aid in the investigation, and may also be reviewed with the College's ADA Coordinator, who is a member of the Diversity, Equity, and Inclusion (DEI) team, which is separate from the Human Resources (HR) team.

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Step 2: Formal Process

Employees and job applicants are expected to first address their complaint with the Benefits & Wellness Coordinator. However, if there is a disagreement with the decision communicated by the Benefits & Wellness Coordinator, or an employee or applicant believes there may be a conflict of interest with the Benefits & Wellness Coordinator, they may file a formal grievance. A grievance must be filed within fifteen (15) business days of the alleged offense and can be initiated by completing and submitting the ADA Complaint Form for Employees and Job Applicants which is handled by the Director of Human Resources:

Christine Lott

Office Location: Support Service Building, room 1204

(815) 921-4267

Email: C.Lott@RockValleyCollege.edu

The Director of Human Resources will initiate a formal review within five (5) business days following the submission of the grievance form. Investigations should typically be completed within 30 business days after initiation and a written decision shall be issued to the involved parties within five (5) business days of completion of the investigation.

NOTE: Individuals who submit a formal complaint to the Director of Human Resources are advised that the documentation submitted will also be reviewed with the College's ADA Coordinator, who is a member of the Diversity, Equity, and Inclusion (DEI) team, which is separate from the Human Resources (HR) team. If the ADA Coordinator role is vacant during the time of the appeal, the Director of Human Resources will collaborate on the appeal with the Vice President of Equity & Inclusion, which is separate from the Human Resources (HR) team.

If the Director of Human Resources is the subject of the complaint or otherwise has a conflict of interest, the grievance shall be submitted to the Vice President of Human Resources who may appoint another administrator to conduct the investigation.

Step 3: Appeal Process

Employees and job applicants may contact the Vice President of Human Resources to appeal the determination made through the formal complaint process. Appeals must be initiated within ten (10) business days after receipt of the written decision. A final written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Vice President of Human Resources and a copy forwarded to the employee or job applicant no later than 30 days after it is filed.

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The only permissible grounds for appeal shall be:

- New information was discovered, which was not available at the time the initial decision was made, and such evidence is likely to affect the outcome of the matter; or
- A substantial procedural error occurred in the process, which materially affected the decision; or
- A sanction of suspension or dismissal from the College was imposed and is not commensurate with the violation.

The Vice President of Human Resources may be contacted at:

Jim Handley

Office Location: Support Services Building, room 1206

(815) 921-4754

J.Handley@RockValleyCollege.edu

NOTE: Individuals who request an appeal from the Vice President of Human Resources are advised that the documentation submitted will also be reviewed with the College's Vice President of Equity & Inclusion, which is separate from the Human Resources (HR) team.

External Complaint Resolution Process

Although employees and job applicants are encouraged to utilize the College's internal procedures which are designed to ensure a timely and effective resolution of complaints, they may file a complaint directly with the Office for Civil Rights:

Office for Civil Rights - Chicago Office

U.S. Department of Education Citigroup Center 500 W. Madison Street, Suite 1475

Chicago, IL 60661-4544

Telephone: (312) 730-1560

Fax: (312) 730-1576; TDD: (800) 877-8339

Email: OCR.Chicago@ed.gov

Confidentiality

Any information regarding the filing of a complaint, the investigation of a complaint, and/or the disposition of the complaint shall be handled in a confidential manner and will be disclosed only as needed. Unauthorized breaches of confidentiality may result in disciplinary action.

Retaliation

No College community member shall discriminate against any individual because that individual has opposed any act or practice made unlawful by the applicable laws, or because that individual submitted a complaint or charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under any applicable law or this procedure.