

San José State University Research Foundation

COMPLAINT PROCEDURE

From time to time, in the workplace there are differences of opinion, miscommunications, and misunderstandings. These difficulties may occur between employees, and sometimes between management and one or more employees. Employees and managers are encouraged to resolve differences at the earliest possible date, and approach resolution in a way that supports resolutions.

All Research Foundation employees are free to use and are encouraged to seek out our “open doors” in making management aware of your concerns. Research Foundation Human Resources stands ready to assist in addressing and resolving complaints and concerns. We encourage each employee to take advantage of this “Open Door” philosophy without fear of retaliation.

Standards of Conduct: In General

The Research Foundation expects each of its employees to conduct him/herself in a courteous, safe, and professional manner at all times while on the Research Foundation’s premises and/or conducting Research Foundation business, irrespective of location. The exercise of good judgment, consideration of fellow workers, and respect for the safety and efficiency of the Research Foundation should govern your conduct on the job.

Any behavior or conduct by an employee in violation of the policies, rules, and procedures of the Research Foundation, including, but not limited to, conduct which may result in harm to the Research Foundation, its reputation, or in potential harm to an employee, or which interferes with the rights of other employees or customers, or conduct considered to be an act of harassment in any form, may subject the offender to appropriate corrective action, up to and including termination of employment. This includes, but is not limited to, violations of the Research Foundation’s Harassment and Discrimination policy.

Please note: All Research Foundation employees assigned to work in non- Central office locations, including, but not limited to, State-owned facilities (examples: MLML; NASA AMES; Fish & Game) are subject to all site owner workplace policies and procedures in addition to Research Foundation policies and procedures. Where a conflict exists, site workplace policies and procedures may take precedence.

Research Foundation employees may interact with or be supervised by non-Research Foundation employees, including SJSU faculty or staff, in their research, assignments, or activities.

In compliance with federal and state laws, including **Title IX** of the Education Amendments of 1972, San José State University (SJSU) does not discriminate on the basis of sex, gender or sexual orientation in education programs, services, or activities. SJSU is committed to maintaining a safe education and working environment free of discrimination, harassment or retaliation on the basis of a protected category. The President of SJSU has designated a Title IX Officer who will oversee the activities associated with Title IX.

Procedure

The Research Foundation understands that conflicts do not benefit either the Research Foundation or the employee.

Any concerns or complaints concerning alleged discrimination or harassment involving Research Foundation employees, including staff, students, or even assigned volunteers, or any such incidents that occur involving anyone in Research Foundation programs that are brought to the attention of Project Directors, Managers or Supervisors, **must also be** reported to Research Foundation Human Resources in a timely manner, either by the complainant or by the Project Directors, Managers, or Supervisors.

Complaints or concerns about or from students, employees or non- employees of the Research Foundation, are also reported to SJSU's Title IX Officer, consistent with Title IX. The Research Foundation will partner with the Title IX Officer or designee in addressing and resolving a complaint involving an employee of the Research Foundation either as a complainant or as the subject of a complaint. In all instances, the complaint will be objectively investigated within as prompt and reasonable time as can it be conducted, given the circumstances. Affected parties will be notified appropriately of results.

The following is a list of individuals who should be contacted for addressing and resolving individual disputes on an informal basis:

- The department manager, as appropriate,
- The area or functional Director or designee,
- The Director of Human Resources or designee,
- The Executive Director of the Research Foundation, or his or her designee.

If you believe it would be inappropriate to discuss the matter with your own manager, please report your concerns directly to your program Director or to the Senior Director of Human Resources or designee.

Noted below is contact information for Research Foundation Human Resources staff to whom you may direct and discuss concerns and complaints:

Ranjit Kaur
Director, Human Resources
SJSU Research Foundation
210 North 4th Street
San Jose, CA 95112
Direct Dial: (408) 924-1409
Facsimile: (408) 924-1457
E-Mail to: ranjit.kaur@sjsu.edu
<http://www.sjsu.edu/researchfoundation/>

Wit Dinh
Manager, Human Resources
SJSU Research Foundation
210 North 4th Street
San Jose, CA 95112
Direct Dial: (408) 924-1410
Facsimile: (408) 924-1457
E-Mail to: wit.dinh@sjsu.edu
<http://www.sjsu.edu/researchfoundation/>

SAN JOSE STATE UNIVERSITY RESEARCH FOUNDATION

COMPLAINT FORM

This form may be used to report any concerns or complaints, or concerning alleged discrimination or harassment which involves Research Foundation employees, including staff, students, or volunteers, or any such incidents that occur involving anyone in Research Foundation programs.

The employee is asked to submit their complaint, in writing, to Research Foundation Human Resources.

Complaints or concerns about or from students, employees or non-employees of the Research Foundation, are also reported to SJSU's Title IX Officer, consistent with Title IX. Investigation of this complaint will be undertaken in as objective a manner as possible, within as prompt and reasonable time as can be conducted, given the circumstances. Affected parties will be notified appropriately of results.

In order to be able to fully assess and investigate your allegations, it is critical that you provide as much information and detail about your allegations, including names of witnesses and copies of all relevant documents.

ONCE THIS FORM IS COMPLETED, please deliver or mail this completed form to: Confidential Complaint, HR Director, 210 North 4th Street, San Jose, CA 95112. You may also scan and e-mail this form directly to ranjit.kaur@sjsu.edu or to wit.dinh@sjsu.edu.

Thank you.

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COMPLAINANT'S INFORMATION (If you are submitting an anonymous complaint, leave this section blank)

Your Name (First, Last)	Your Employer
Your Department	Your Position
Your Work Telephone ()	Your Home or Cellular Telephone ()

THE PERSON OR PERSONS ABOUT WHOM YOU ARE COMPLAINING.

Please list each person separately. Attach separate sheets if necessary.

Name of Subject # 1 (First, Last)	Their Employer
Their Department	Their Position
Their Work Telephone ()	

Please describe the conduct, action (s), or activity (ies) that you are complaining about in as much detail as you know or are aware of. Be sure to include relevant dates, times, locations, and activity (ies), and how or why you became aware. Attach separate sheets as you deem necessary.

DO YOU HAVE NAMES OF ANY WITNESS OR WITNESSES? If yes, please note them below:

Witness # 1 (First, Last)	Their Employer
Their Department	Their Position
Their Work Telephone ()	

► IF YOU HAVE EVIDENCE SUCH AS DOCUMENTS, FILES, MESSAGES, PICTURES, ETC. THAT CAN CORROBORATE YOUR ALLEGATIONS, please make sure to attach copies of all such documents to this complaint form for review and consideration.

Signature _____

Date: _____