

CALIFORNIA INSTITUTE OF TECHNOLOGY
STAFF PERSONNEL MEMORANDA

Subject: Problem Resolution Policy and Process for Campus Staff and Employees at JPL	Memo No. 13 Pages: 4 Date: October 27, 2020
Approved by: Julia McCallin, Associate Vice President for Human Resources and Chief Human Resources Officer (CHRO)	

(This supersedes Memo No. 13 dated May 7, 2013)

1.0 Policy

The Institute encourages open communication between employees and managers. Supervisors or higher level management will make a reasonable effort to resolve the concerns brought to them in a timely manner.

No employee will be retaliated against for using or participating in the Institute’s problem resolution process in good faith.

2.0 Overview

Human Resources is available to assist employees and managers involved in any work-related problem or concern.

The problem resolution process provides employees with a way to discuss and address work related concerns or problems involving the interpretation and application of Institute policies and procedures.

For some complaints, there may be a specific complaint procedure that applies. For example, concerns and problems which relate to issues such as unlawful harassment, discrimination, retaliation and equal opportunity employment should be raised using the specific complaint and appeal procedures outlined in these policies.

3.0 Eligibility

The problem resolution process is available to all staff at campus, at JPL and other Caltech locations who have successfully completed the introductory period, including terminated employees as provided in paragraph 4.3.

4.0 Problem Resolution Process

4.1 General

Both employees and managers may consult with Human Resources for assistance at any time. During the problem resolution process, interviews and/or meetings with employees and management may be conducted. No external representatives, such as attorneys, friends, or colleagues will be permitted to attend interviews or meetings. No tape or other recordings will be made of interviews or meetings.

4.2 Process for Current Employees

In order to use this process, an employee must bring a work related concern or problem to the attention of his or her immediate supervisor or manager within 60 calendar days of the original incident or event about which the employee wishes to complain, except in cases of termination. If the circumstances of the complaint are such that it would be inappropriate for the immediate supervisor to address the complaint, the employee may bring his or her complaint to his or her next level manager or Human Resources.

Management or Human Resources will look into the concern or problem and will respond to the employee within a reasonable time.

In cases of termination, the employee must appeal directly to Human Resources within 10 days of termination as outlined below.

In all cases other than termination, if the employee is not satisfied with the immediate supervisor or manager's resolution, or would like additional review, the employee must request that the next level of management in his or her organization or Human Resources review his or her concerns within 10 working days of receiving the response from lower level management. The manager will inform the employee in writing within a reasonable time of the determination regarding the employee's concerns.

If resolution is not reached between the employee and his or her management, and the employee wishes further review of his or her concerns, the employee must submit a written appeal to Human Resources within 10 days of receiving the second management response. Staff at campus and other Caltech locations should submit the appeal to the Associate Vice President for Human Resources at campus and employees at JPL should submit the appeal to the Director For Human Resources at JPL.

The employee's appeal should include a description of the concern or problem, the Institute policy that the employee believes was not followed or violated, the employee's suggestions about ways in which the problem or concern may be resolved, management's proposed resolution, a copy of management's written response if any, any other related written material the employee received from management, and any other pertinent documents or information.

Upon receipt of an appeal under this process, the Associate Vice President or the Director For Human Resources will review the information provided by the employee, evaluate the basis of the employee's request, determine if the employee's appeal should be considered further using the problem resolution process or another complaint procedure, and inform the employee of the decision. This decision is final.

If the Associate Vice President or the Director For Human Resources determines that the employee's appeal should continue under the problem resolution process, the appeal will be considered by a review committee comprised of a senior manager or designee in the employee's organization, a senior employee outside the employee's organization and selected by Human Resources, and the Associate Vice President for Human Resources or the Director For Human Resources. Human Resources will take steps to ensure that the complaint is heard in a timely fashion. The review committee will review the employee's complaint and make a decision as to the complaint.

The review committee will notify the employee and the employee's management in writing of its decision within a reasonable time of receiving the employee's appeal. The committee's decision is final and not subject to further review.

4.3 Process for Terminated Employees

Staff at campus or other Caltech locations who wish to dispute his or her involuntary termination must submit a written appeal within 10 days of the termination date to the Associate Vice President for Human Resources at campus. JPL employees must submit an appeal of a termination decision within 10 days to the Director For Human Resources at JPL. The employee's appeal must include the basis for disputing his or her termination.

Upon receipt of an appeal under this process, the Associate Vice President or the Director For Human Resources will review the information provided by the employee, evaluate the basis of the employee's request, determine if the employee's appeal should be considered further using the problem resolution process or another complaint procedure, and inform the employee of the decision. This decision is final.

If the Associate Vice President or the Director For Human Resources determines that the employee's appeal should continue under the problem resolution process, the appeal will be considered by a review committee comprised of a senior manager or designee in the employee's organization, a senior employee outside the employee's organization and selected by Human Resources, and the Associate Vice President for Human Resources or the Director For Human Resources. Human Resources will take steps to ensure that the complaint is heard in a timely fashion. The review committee will review the employee's complaint and make a decision as to the complaint.

The review committee will notify the employee and the employee's management in writing of its decision within a reasonable time of receiving the employee's appeal. The committee's decision is final and not subject to further review.

5.0 Additional Resources

The Institute also offers employees the choice of seeking confidential counseling outside the Institute's formal mechanisms for resolving complaints. Those seeking this type of assistance should check with the following offices, each of which has its own mandate and guidelines for providing services:

Staff and Faculty Consultation Center
Caltech Center for Diversity
Student Counseling Center
Employee Assistance Program (JPL)

6.0 Exceptions

Any exception to this policy requires the approval of the Associate Vice President for Human Resources or designee for campus staff, or of the Director For Human Resources at JPL or designee for JPL staff.