

PPSM POLICY 70 COMPLAINT RESOLUTION

LOCAL IMPLEMENTING PROCEDURES – APPENDIX A

I. FACTFINDING PROCESS

The Factfinding process is designed to provide additional information from a neutral investigator to a Vice Chancellor or designee responsible for a final appeal decision in a complaint. The factfinder's role is to report the facts in a dispute through a review of documents and interviews of the parties and other witnesses. The factfinder does not determine the outcome in a dispute, nor does the factfinder recommend a solution to the Vice Chancellor or designee.

The factfinder is entitled to have access to any documents or witnesses which s(he) believes to be necessary to complete a thorough investigation of the issues in a formal complaint under University policy.

The factfinder should interview parties and witnesses separately. The University policy does not intend for the factfinder to conduct a hearing. The factfinder, however, should attempt to resolve conflicts in the information provided on important issues through discussions with the parties, separately.

The factfinder may share documents with the parties to the complaint, that is, the employee and department manager, but should not disclose the written complaint to other witnesses interviewed. However attachments to the complaint may be shared with all witnesses. The factfinder should share all documents reviewed with the complainant and the Department representative, so that each side in the dispute has the opportunity to address all documents considered by the factfinder.

The factfinder does not have the authority to add to, delete from, or otherwise modify personnel or other University policies, plans, or benefit regulations, or local implementing procedures. University policy interpretations shall be provided to the factfinder by the assigned Employee and Labor Relations representative, and shared with the parties to the dispute.

II. FACTFINDING REPORT

At the conclusion of interviews of the parties to the complaint and other witnesses, if any, and reviews of relevant documents, the factfinder shall prepare a written report to the Vice Chancellor or designee, which shall include the following:

- a. statement of the position of the parties in the dispute;
- b. statement of the issues under review by the factfinder;
- c. listing of the documents reviewed and names of the employees interviewed;

- d. summary of the information received;
- e. statement of findings of fact based on the review, which relate to the issues of the case and the positions of the parties. The factfinder shall not recommend a decision in the dispute; and
- f. all written documentation of the factfinder's review shall be attached to the factfinder's report.