

Office of Human Resources
1500 Dispute Resolution Procedures

2025-03-13

Table of Contents

1501 Classified Employee Complaint Procedure	1
Section A: Definitions	1
Section B: Employee Eligibility	2
Section C: Eligible Issues	2
Section D: Ineligible Issues	2
Section E: Written and Oral Reprimands	3
Section F: Filing a Complaint	3
Section G: Complaint Form	3
Section H: Reviewing & Processing a Complaint	4
Section I: OHR Informal Resolution	4
Section J: Mediation	4
Section K: Complaint Hearing Notification	4
Section L: Hearing Process	5
Section M: Complaint Preparation Time	5
Section N: DHS Third Party Representative	5
Section O: Conclusion of The Complaint	6
Section P: Appeal	6
Section Q: Use of State Supplies	6
Section R: Confidential Information	7
Section S: Group Complaint	7
Section T: Consolidation of Complaints	7
Section U: Extension of Time Limits	7
Section V: Withdrawal of Complaint	7
Section W: Improper Use of The Complaint Procedure	8
Section X: Complaint to DOAS	8
1501 A1 Classified Employee Complaint Form	8
1501 A2 Classified Employee Group Complaint Roster	8
1502 Unclassified Employee Complaint Procedure	9
Section A: Definitions	9
Section B: Employee Eligibility	10
Section C: Eligible Issues	10
Section D: Ineligible Issues	10
Section E: Improper Use of The Complaint Procedure	11
Section F: Complaint Preparation Time	11
Section G: DHS Third Party Representative	12
Section H: Filing a Complaint	12
Section I: Confidential Information	13
Section J: Group Complaint	13

Section K: Withdrawing a Complaint	13
Section L: Processing a Complaint	13
Section M: Consolidation of Complaints	14
Section N: Mediation	14
Section O: Complaint Review	14
Section P: Complaint Decision	14
Section Q: Suspending The Complaint Resolution Procedure	14
1502 A1 Unclassified Employee Complaint Form	15
1502 A2 Unclassified Employee Group Complaint Roster	15
1503 Unlawful Discrimination Complaint Procedure	16
Section A: Employee Right to File a Complaint	16
Section B: Filing of Non-Sexual Harassment Complaints	17
Section C: Initial Complaint Review	17
Section D: Investigation	17
Section E: Complaint Determination	18
1503 A1 Unlawful Discrimination Complaint Form	18
1504 Reprimand Review Process	19
Section A: Employee Eligibility	19
Section B: Reprimand Definition	19
Section C: Reprimand Review Request	20
Section D: Reprimand Review Form	20
Section E: Group Reprimand Review	20
Section F: Reprimand Review Assessment	20
Section G: Third Party Representation	21
Section H: Reprimand Review Consolidation	21
Section I: Reprimand Review Request Withdrawal	21
1504 A1 Reprimand Review Form	21
1504 A2 Reprimand Review Group Roster	21
1505 Mediation Procedure	22
Section A: Eligible Mediation Issues	22
Section B: Ineligible Mediation Issues	22
Section C: Initiating The Mediation Process	22
Section D: Review and Notification	23
Section E: The Mediation Session	23
1505 A1 Mediation Request Form	24

1501 Classified Employee Complaint Procedure



Georgia Department of Human Services Human Resources Policy #1501

Classified Employee Complaint Procedure

Release Date: February 1, 2000

Revised Date: February 19, 2020

References: Rules of the State Personnel Board 478-1-20 — Employee Complaint Resolution Procedure

The Department of Human Services recognizes the need for a process to review employee concerns. This procedure is established to provide classified employees with an orderly process for reviewing allegations of unfavorable employment decisions or conditions in a timely manner. Employees are encouraged to bring work-related concerns to the attention of their supervisors for review and possible resolution prior to filing a complaint.

Section A: Definitions

1. For the purposes of this policy, the following terms and definitions apply:
 - a. “Employee” an individual hired by an agency to provide services for wages excluding independent contractors, volunteers, unpaid interns and board members paid on a per diem basis.
 - b. “Classified Employee” an employee with procedural appeal rights set forth who was hired into a classified position on or before June 30, 1996 and who has remained in a classified position without a break in service since that date.
 - c. “Unclassified Employee” an employee who was hired after June 30, 1996, or who has occupied an unclassified position at any time since July 1, 1996. Unclassified employees have an employment-at-will status, with limited exception for employees with more than 18 years of service who established Employees' Retirement System (ERS) membership before April 1, 1972.
 - d. “Filing” the act of submitting a complaint to the agency Complaint Resolution Coordinator.
 - e. “Complaint” a claim filed by an eligible employee when their personal employment has been affected by unfavorable employment decisions or conditions due to unfair treatment.
 - f. “Complaint Form” a form provided by the agency for the filing of employee complaints.
 - g. “Receipt” the date and time at which a document is delivered by mail, electronic transmis-

sion or personal delivery.

- h. “Workday” Monday through Friday are considered DHS business days excluding state holidays.

Section B: Employee Eligibility

1. This procedure may be used by all DHS classified employees whose employment averages twenty (20) or more hours per week.
2. An employee who has been notified of termination or is seeking relief or remedy for the work-related concern(s) through other administrative or judicial processes, is not eligible to file a complaint through this procedure.

Section C: Eligible Issues

1. Harassment, retaliation or intimidation for exercising any right provided under the Rules of the State Personnel Board or DHS policies;
2. Retaliation for using the complaint procedure;
3. Erroneous, arbitrary or capricious interpretation or application of human resources policies, procedures, rules, regulations, ordinances and statutes;
4. Unsafe or unhealthful working conditions; and,
5. Alleged occupational exposure to hazardous chemicals.
6. The following allegations are eligible and will be addressed through the Unlawful Discrimination Complaint Procedure (DHS Human Resources Policy #1503):
 - a. Unlawful discrimination because of race, color, sex, national origin, disability, age or religious or political opinions or affiliations; and,
 - b. Sexual harassment.

Section D: Ineligible Issues

1. Issues which are pending or have been concluded by direct appeal to the State Personnel Board, the Georgia Commission on Equal Opportunity or through other administrative or judicial procedures,
2. Issues which are subject to appeal, review or relief through other provisions of the rules,
3. Performance responsibilities, expectations or evaluations,
4. Relocation of employees, except where the costs of relocation qualify for reimbursement under regulations promulgated by the Office of Planning and Budget,
5. Temporary work assignments which do not exceed ninety (90) calendar days,
6. Permanent changes in work hours or duties and responsibilities, unless such changes are manifestly unsafe, illegal, or can be shown to adversely affect an employee’s personal employment,
7. Budget and organizational structure, including the number or assignment of positions in any organizational unit,

8. Internal security practices established by the Department,
9. The selection of an individual to fill a position, unless it is alleged that the selection is in violation of a written Department policy or the Rules of the State Personnel Board on filling vacancies,
10. Demotion of an employee on working test as defined in Rule 10 of the Rules of the State Personnel Board,
11. Termination, demotion, reassignment, furlough, layoff from duties because of lack of work, or other actions resulting from a reduction in the work force or job abolition; and,
12. Any matter which is not within the jurisdiction or control of the Department.

Section E: Written and Oral Reprimands

1. Complaints filed regarding written reprimands and written confirmation of oral reprimands will be processed through the Process for Review of Written Reprimands. (See DHS Human Resources Policy #1504)

Section F: Filing a Complaint

1. A complaint may be filed by an eligible employee when the employee's personal employment has been allegedly affected by unfavorable employment decisions or conditions due to unfair treatment.
2. A complaint should be filed as soon as possible, and must be received by the Office of Human Resources (OHR):
 - a. within ten (10) workdays after the occurrence upon which the complaint is based; or,
 - b. within ten (10) workdays of the date the employee became aware, or should have become aware, of the issue(s) through the exercise of reasonable diligence.



“Workday” refers to Monday through Friday, excluding State holidays. The complaint must be received by OHR no later than 5:00 p.m. on the 10th workday.

Section G: Complaint Form

1. A complaint must be filed on the Classified Employees Complaint Form (Attachment #1).
 - a. This form must be completed in its entirety, and include:
 - I. the issue(s),
 - II. the date(s), if known, that the issue(s) occurred,
 - III. how the employee's personal employment has been unfavorably affected, and,
 - IV. the relief sought.
 - b. Supporting documentation must be submitted with the Classified Service Complaint Form.
 - c. If the complaint involves interpretation or application of a Rule or policy, the complaint must identify the specific Rule or policy and how it was allegedly violated.

2. The Classified Employees Complaint Form must be delivered, mailed or faxed to your assigned Human Resources Representative.

Section H: Reviewing & Processing a Complaint

1. Within ten (10) workdays of receiving a complaint, OHR will:
 - a. Complete a review,
 - b. Determine the eligibility/timeliness of the issue(s), and,
 - c. Provide written notification to individuals involved in the grievance.
2. The written notification will include reasons for the determination and advise appropriate individuals that:
 - a. The issue(s) in the complaint is ineligible, and no further action will be taken; or,
 - b. The issue(s), if alleging unlawful discrimination or sexual harassment, is eligible and will be processed through the Unlawful Discrimination Complaint Procedure; or,
 - c. The issue(s), if not alleging unlawful discrimination or sexual harassment, is eligible, and will specify how the complaint will be processed.
3. Within twenty-one (21) calendar days of the notice that the issue(s) is eligible, OHR will:
 - a. Attempt to resolve the issue(s); or,
 - b. Schedule a mediation session; or,
 - c. Request that the Department of Administrative Services (DOAS) assign a Complaint Hearing Officer to hear the complaint.

Section I: OHR Informal Resolution

1. Every complaint will be thoroughly reviewed. Attempts to resolve the issue(s) may be made by OHR on a case by case basis. The employee and supervisor involved are expected to cooperate with OHR regarding attempts at informal resolution.

Section J: Mediation

1. Either the employee or supervisor involved may request that the complaint be referred for mediation. OHR will determine, if the request is appropriate.
2. OHR may also refer a complaint for mediation.
3. If mediation is deemed appropriate, OHR will schedule the session. The employee and supervisor involved must attend and cooperate fully with the process.
4. If resolution is not reached in the mediation session, a complaint hearing will be held.

Section K: Complaint Hearing Notification

1. DOAS is to assign a Complaint Hearing Officer within five (5) workdays of receiving a request from the Department.

2. The date, time and location of the complaint hearing will be coordinated by OHR with the employee, supervisor involved and Complaint Hearing Officer.
3. A complaint hearing will be conducted within fifteen (15) calendar days of assignment of the Complaint Hearing Officer.

Section L: Hearing Process

1. The Complaint Hearing Officer will direct the hearing in order to ensure the orderly presentation of relevant information.
2. The Complaint Hearing Officer will tape record the hearing. No other tape recorders, court reporters, or means of recording the hearing will be permitted.
3. The employee and supervisor involved may speak for themselves or have a DHS Third Party Representative speak on their behalf at the hearing. If a DHS Third Party Representative(s) is used, the employee and supervisor must be present at the hearing to ensure that accurate information is presented.
4. Witnesses who are asked to testify in a hearing will attend the hearing only while testifying, unless otherwise approved by the Complaint Hearing Officer.
5. Appearance as a witness is typically voluntary. An employee may be required to provide witness testimony only by OHR or the Complaint Hearing Officer. If it is determined that the employee's testimony is essential to making an accurate recommendation on the complaint.

Section M: Complaint Preparation Time

1. An eligible employee may request and must be allowed up to four (4) hours of work time, as approved by their supervisor, to prepare a complaint or prepare for a mediation session or complaint hearing.
 - a. The four (4) hours is in addition to time spent in a mediation session or complaint hearing.
 - b. The supervisor should make reasonable efforts to grant the specific time period requested by the employee. If requested time cannot be granted due to workload, the supervisor is to allow the employee to use complaint preparation time at another agreed upon time.
 - c. Telephone calls, meetings, discussions with potential witnesses, or other contacts initiated by the employee regarding the complaint during work hours will count as complaint preparation time.
 - d. Complaint preparation time should not interfere with the ordinary business of the work unit, and the employee should remain in the general work area, unless specifically authorized by the supervisor to leave.
 - e. Each employee is limited to a maximum of twelve (12) hours of complaint preparation time per calendar year.

Section N: DHS Third Party Representative

1. An employee and/or supervisor involved in a complaint may ask another DHS employee to act as a DHS Third Party Representative in a complaint hearing. Serving as a DHS Third Party Rep-

representative is voluntary.

- a. Staff designated to assist employees with filing complaints and human resources representatives cannot serve as DHS Third Party Representatives.
- b. Non-DHS employee third party representation is not permitted, unless required by law or rule.
- c. DHS employees may serve as a DHS Third Party Representative in no more than two (2) complaints per calendar year.
- d. Time spent in a complaint hearing is with pay and is not charged to accrued leave if the hearing takes place during scheduled workhours.
- e. If a DHS Third Party Representative chooses to represent an employee or supervisor in a complaint hearing held outside of scheduled work hours, the DHS Third Party Representative's schedule will not be adjusted, and compensation will not be granted for time spent in the hearing.

Section O: Conclusion of The Complaint

1. The Complaint Hearing Officer will submit a report with recommendations to the DHS Commissioner or designee within fifteen (15) workdays of the complaint hearing.
2. The DHS Commissioner or designee will review this report, and any other relevant information, and issue a final decision to the employee with copies to appropriate individuals within ten (10) workdays of receipt of the Complaint Hearing Officer's report.
3. The DHS Commissioner or designee's decision is the final action of the Department on the complaint.

Section P: Appeal

1. After receiving the decision on a complaint, an employee may appeal to the State Personnel Board, in writing, if the employee believes that the Department has violated any provision of the Rules of the State Personnel Board.
2. The appeal must be filed with the Office of State Administrative Hearings in accordance with the provisions of the Rules of the State Personnel Board - Rule 14, within ten (10) calendar days of receipt of the decision on the complaint.
3. Any appeal must include the specific provision(s) of the rule alleged to have been violated, and any documentation that would support the allegation.

Section Q: Use of State Supplies

1. Employees may use state supplies, equipment, mail services, or other state resources to provide copies of the complaint-related documents only to those individuals specified in this procedure, or as directed by OHR.

Section R: Confidential Information

1. Patient, client, resident names must not be included in any complaint related document since this information may violate confidentiality. Initials or case numbers may be used if they are relevant to the issues of the complaint.

Section S: Group Complaint

1. A complaint may be filed by a group of eligible employees, if the alleged unfavorable employment decisions or conditions have affected each member of the group.
 - a. Members of a group complaint cannot file an individual complaint on the same issue(s).
 - b. The group must select a spokesperson to present all matters of the complaint. The group may select up to two (2) spokespersons.
 - c. Only the spokesperson(s) for a group complaint may request to use complaint preparation time. If a group complaint has more than one spokesperson, the requested complaint preparation time is limited to a combined total of four (4) hours, as approved by the supervisor.
 - d. All members of a group complaint must sign the Classified Employee Group Complaint Roster (Attachment #2) certifying that each employee's personal employment has been unfavorably affected and that they agree with the contents of the complaint. This roster must be submitted with the complaint.

Section T: Consolidation of Complaints

1. When appropriate, OHR may:
 - a. Consolidate multiple complaints filed by an employee into a single complaint; and,
 - b. Consolidate separate complaints filed by two (2) or more employees regarding the same issue(s) into a group complaint.

Section U: Extension of Time Limits

1. Time limits may be extended under the following circumstances:
 - a. Upon agreement of all parties to a complaint, any time limit may be extended; and,
 - b. OHR or the Complaint Hearing Officer may extend any time limit due to emergency, medical disability or legally mandated absence.



Appropriate individuals will be notified of the length and reasons for an extension.

Section V: Withdrawal of Complaint

1. A complaint may be voluntarily withdrawn by the employee at any time during the complaint process. A complaint that has been withdrawn will be considered closed and may not be refilled.

Section W: Improper Use of The Complaint Procedure

1. All state officers, supervisors, third party representatives and employees are prohibited from the following:
 - a. Knowingly supplying false or misleading information in a complaint; or,
 - b. Attempting to harass, intimidate, or retaliate against any State officer, supervisor, third party representative or employee for filing a complaint, or providing testimony or evidence regarding a complaint.
2. Improper use of the complaint procedure may result in disciplinary action, up to and including separation from employment.



OHR must be consulted prior to initiating disciplinary action under these circumstances.

Section X: Complaint to DOAS

1. An employee may file a complaint to the DOAS Commissioner, if OHR, the Complaint Hearing Officer, or DHS Commissioner do not adhere to specified time limits. The DOAS Commissioner will review the complaint and take appropriate action.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1501 A1 Classified Employee Complaint Form

1501 A2 Classified Employee Group Complaint Roster

1502 Unclassified Employee Complaint Procedure



Georgia Department of Human Services Human Resources Policy #1502

Unclassified Employee Complaint Procedure

Release Date: February 1, 2000

Revised Date: February 20, 2020

References: Rules of the State Personnel Board 478-1-20 — Employee Complaint Resolution Procedure

The Department of Human Services (DHS) recognizes the need for a process to resolve non-disciplinary employment concerns of unclassified employees. The complaint procedure for unclassified employees is established to provide eligible employees with an orderly process for reviewing allegations of unfavorable employment decisions or conditions in a timely manner. Unclassified employees eligible to file a complaint may do so without fear of unlawful discrimination or reprisal.

This procedure does not compromise the rights of management to direct the workforce in accomplishing the mission of the Department. The procedure is not applicable to disciplinary matters and does not alter the employment at-will relationship between the Department and unclassified employees.

Employees are encouraged to bring work-related concerns to the attention of their supervisors for review and possible resolution prior to filing a complaint. Attempts at informal resolution of complaint issues, which may include mediation, must be handled in a manner that will permit the employee to meet deadlines established by this procedure for filing a complaint.

Section A: Definitions

1. For the purposes of this policy, the following terms and definitions apply (Terms and Definitions):
 - a. “Employee” an individual hired by an agency to provide services for wages and excludes independent contractors, volunteers, unpaid interns and board members paid on a per diem basis.
 - b. “Classified Employee” an employee with procedural appeal rights set forth who was hired into a classified position on or before June 30, 1996 and who has remained in a classified position without a break in service since that date.

- c. “Unclassified Employee” an employee who was hired after June 30, 1996, or who has occupied an unclassified position at any time since July 1, 1996. Unclassified employees have a employment-at-will status, with limited exception for employees with more than 18 years of service who established Employees' Retirement System (ERS) membership before April 1, 1972.
- d. “Filing” the act of submitting a complaint to the agency Complaint Resolution Coordinator.
- e. “Complaint” a claim filed by an eligible employee when their personal employment has been affected by unfavorable employment decisions or conditions due to unfair treatment.
- f. “Complaint Form” a form provided by the agency for the filing of employee complaints.
- g. “Receipt” the date and time at which a document is delivered by mail, electronic transmission or personal delivery.
- h. “Workday” Monday through Friday are considered DHS business days excluding state holidays.

Section B: Employee Eligibility

1. All unclassified employees, except those identified below, are eligible to file a complaint.
 - a. Unclassified employees who have been notified of separation from employment, suspension, demotion, or disciplinary salary reduction.
 - b. Unclassified employees seeking relief through other administrative or judicial procedures.

Section C: Eligible Issues

1. Retaliation for using the complaint procedure,
2. Erroneous, arbitrary or capricious interpretation or application of human resource policies and procedures,
3. Unsafe or unhealthy working conditions (e.g., allegations of occupational exposure to hazardous chemicals),
4. Allegations of harassment (other than sexual harassment), and,
5. Allegations of unlawful discrimination or sexual harassment.



Allegations of unlawful discrimination due to race, color, sex, national origin, disability, age or religious or political opinions or affiliations and allegations of sexual harassment will be addressed through the Unlawful Discrimination Complaint Procedure (DHS Human Resources Policy #1503).

Section D: Ineligible Issues

1. Issues which are pending or have been concluded by the Georgia Commission on Equal Opportunity or through other administrative or judicial procedures;
2. Performance responsibilities, expectations and evaluations;
3. Relocation of employees, except where the costs of relocation qualify for reimbursement under

regulations promulgated by the Office of Planning and Budget;

4. Temporary work assignments which do not exceed ninety (90) calendar days;
5. Permanent changes in work hours or duties and responsibilities, unless such changes are manifestly unsafe, illegal, or can be shown to unfavorably affect an employee's personal employment;
6. Budget and organizational structure, including the number or assignment of positions in any organizational unit;
7. Internal security practices established by the Department;
8. The selection of an individual to fill a position unless it is alleged that the selection is in violation of a written Department policy;
9. Termination, reduction in salary, demotion, suspension without pay, reassignment, furlough, layoff from duties because of lack of work, or other actions resulting from a staff reduction or job abolition;
10. Written reprimands, written confirmation of oral reprimands, work plans and/or attendance plans, or any other document worded similar to a written reprimand regardless of where the document is placed or how it is distributed; and,
11. Any matter which is not within the jurisdiction or control of the Department.

Section E: Improper Use of The Complaint Procedure

1. All state officers, supervisors, DHS Third Party Representatives and employees are prohibited from the following:
 - a. Knowingly supplying false or misleading information in a complaint; or,
 - b. Attempting to harass, intimidate, or retaliate against any State officer, supervisor, DHS Third Party Representative or employee for filing a complaint, or providing testimony or evidence regarding a complaint.
2. Improper use of the complaint procedure may result in disciplinary action, up to and including separation from employment.



The Office of Human Resources (OHR) must be consulted prior to initiating disciplinary action under these circumstances.

Section F: Complaint Preparation Time

1. An eligible employee may be allowed up to four (4) hours of work time to prepare a complaint. The employee must specify the time period requested to prepare a complaint and receive approval from their supervisor to ensure that the workplace is not adversely impacted. Such time shall be during regular work hours, without loss of pay or leave credits. OHR may authorize additional work time, if determined appropriate.
 - a. Preparation time shall include such activities as meeting with witnesses and reviewing the employee's personnel file.
 - b. Such time is independent of any time spent in a complaint review session with the Com-

plaint Review Official.

- c. OHR has the authority to resolve any dispute regarding the determination of reasonable and necessary time for preparing and processing a complaint.

Section G: DHS Third Party Representative

1. An employee and/or supervisor involved in a complaint may ask another DHS employee to act as a DHS Third Party Representative. Serving as a DHS Third Party Representative is voluntary.
 - a. Staff designated to assist employees with filing complaints and human resources representatives cannot serve as DHS Third Party Representatives.
 - b. DHS employees may serve as DHS Third Party Representatives in no more than two (2) complaints per calendar year.
 - c. Time spent as a participant in a complaint review meeting is considered work time.
 - d. DHS Third Party Representatives may request up to four (4) hours of work time per complaint (in addition to time spent in a complaint review meeting) for the purpose of assisting the employee or supervisor involved in the complaint.
 - e. Management is to make reasonable efforts to authorize DHS Third Party Representatives to be absent and provide appropriate work time, as requested, for the purpose of assisting the employee or supervisor involved.

Section H: Filing a Complaint

1. A complaint should be filed as soon as possible, and must be received by OHR:
 - a. within ten (10) workdays after the occurrence upon which the complaint is based; or,
 - b. within ten (10) workdays of the date the employee became aware, or should have become aware, of the issue(s) through the exercise of reasonable diligence.



“Workday” refers to Monday through Friday, excluding State holidays. The complaint must be received by OHR no later 5:00 p.m. on the 10th workday.

2. OHR may extend any time limit specified in this procedure due to emergency, medical disability or legally mandated absence on the part of the employee. The employee and other involved individuals will be notified immediately of the reasons for and the length of the extension.



In situations other than the above, any time limit specified in this procedure may be extended, not to exceed 90 (ninety) calendar days, upon agreement of all parties to the complaint.

3. All complaints must be filed on the Unclassified Employees Complaint Form (Attachment #1).
4. All relevant and requested information must be provided on the Unclassified Employees Complaint Form.
 - a. The complaint must contain a statement of the issues involved, how the employee’s personal employment has been unfavorably affected, the relief sought, and the dates, if known, the incident(s) or violation(s) occurred.

- b. If the complaint involves the interpretation or application of policy or procedure, the complaint must identify the policy or procedure at issue and describe how it was erroneously interpreted or applied.

Section I: Confidential Information

1. Patient/client/resident names must not be included in any complaint related document, since this information may violate confidentiality. Initials or case numbers may be used, if they are relevant to the issues of the complaint.

Section J: Group Complaint

1. A complaint may be filed by a group of eligible employees, if the alleged unfavorable employment decisions or conditions have affected each member of the group.
 - a. Members of a group complaint cannot file an individual complaint on the same issue(s).
 - b. The group must select a spokesperson to present all matters of the complaint. The group may select up to two (2) spokespersons.
 - c. Only the spokesperson(s) for a group complaint may request to use complaint preparation time.
 - d. All members of a group complaint must sign the Unclassified Employees Group Complaint Roster (Attachment #2) certifying that each employee's personal employment has been unfavorably affected and that they agree with the contents of the complaint. This roster must be submitted with the complaint.

Section K: Withdrawing a Complaint

1. At the sole discretion of the complainant, a complaint may be voluntarily withdrawn at any point in the complaint procedure.
 - a. To withdraw a complaint, the employee must notify OHR in writing.
 - b. A withdrawn complaint cannot be refiled.

Section L: Processing a Complaint

1. Within 10 (ten) workdays of receipt of a complaint, OHR will review the complaint to determine the eligibility of the issue(s) and provide written notice to the individuals involved in the complaint that:
 - a. The issue is ineligible, including the specific reasons for the determination, and that the complaint process is being terminated; or,
 - b. The issue alleges unlawful discrimination or sexual harassment and will be processed according to the provisions of the Unlawful Discrimination Complaint Procedure; or,
 - c. The issue is eligible under this procedure.

Section M: Consolidation of Complaints

1. When appropriate, OHR may:
 - a. Consolidate multiple complaints filed by an employee into a single complaint; and,
 - b. Consolidate separate complaints filed by two (2) or more employees regarding the same issue(s) into a group complaint.

Section N: Mediation

1. At any point in the procedure, a complaint may be referred to mediation.
 - a. The employee or supervisor involved with a complaint may request that the complaint be referred to mediation. OHR will determine, if the request is appropriate.
 - b. OHR may also refer a complaint for mediation.
 - c. If mediation is determined appropriate, OHR will schedule the session. The employee and supervisor involved must attend and cooperate fully with the process.

Section O: Complaint Review

1. Within fifteen (15) workdays of the notice that an issue is eligible, a Complaint Review Official will be appointed.
2. Within fifteen (15) workdays of appointment, the Complaint Review Official will undertake any of the following actions with regard to the complaint:
 - a. Conduct a complaint review of the complaint issues based upon available information presented; or,
 - b. Conduct a complaint review by meeting with the employee and/or supervisor involved to facilitate an agreement, clarify and/or interpret policies or explore alternative resolutions.
3. Barring prior settlement of the complaint by agreement of the employee and supervisor involved, the Complaint Review Official will submit written findings and recommendations to the DHS Commissioner or designee within 10 workdays of conducting the complaint review.

Section P: Complaint Decision

1. The DHS Commissioner or designee will review the findings and recommendations of the Complaint Review Official and issue a decision in writing within ten (10) workdays of receipt of the findings and recommendations. The decision of the DHS Commissioner or designee is final and concludes the complaint process.

Section Q: Suspending The Complaint Resolution Procedure

1. In the event of an emergency, OHR may suspend the complaint resolution procedure, under this policy.

- a. While a suspension of the complaint resolution procedure may delay the filing of a complaint, it will not affect an employee's ability to file a complaint that occurred before the effective date of the suspension, once the suspension has ended.
- b. Any complaint filed within fifteen (15) workdays after the conclusion of the complaint resolution procedure suspension will not be denied or otherwise limited.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1502 A1 Unclassified Employee Complaint Form

1502 A2 Unclassified Employee Group Complaint Roster

1503 Unlawful Discrimination Complaint Procedure



Georgia Department of Human Services Human Resources Policy #1503

Unlawful Discrimination Complaint Procedure

Release Date: April 1, 2005

Revised Date: February 20, 2020

References: Title VII of the Civil Rights Act of 1964, 42 USC 2000e, as amended by the Civil Rights Act of 1991
Rules of the State Personnel Board — 478-1-03 Antidiscrimination Statewide Sexual Harassment Prevention Policy
Executive Order 01.14.19.02 — Preventing Sexual Harassment in the Executive Branch of Government

The Department of Human Services (DHS) will comply fully with all federal and state anti-discrimination laws. DHS is committed to providing equal employment opportunity for all individuals regardless of race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, sex, pregnancy, childbirth or related conditions, military or veteran status, or other status protected by federal or state law or regulation.

The Office of Human Resources (OHR) manages all employment-related unlawful discrimination issues involving applicants and DHS employees. OHR will provide direction, coordination, and technical assistance to DHS leadership for equal opportunity and unlawful discrimination issues.

Section A: Employee Right to File a Complaint

1. Employees alleging unlawful discrimination on the basis of race, color, creed, national origin, ancestry, citizenship, religion, political opinions or affiliations, age, disability, genetic information, sex, pregnancy, childbirth or related conditions, military or veteran status, sexual harassment, or other status protected by federal or state law or regulation may file formal complaints in accordance with this procedure.
2. It is a violation of DHS policy to retaliate against employees due to filing complaints of unlawful discrimination, sexual harassment, or for cooperating in a complaint investigation.
3. Sexual harassment complaints will be processed as outlined in Executive Order 01.14.19.02 — Preventing Sexual Harassment in the Executive Branch of Government, as well as DHS Human Resources Policy 102 — Sexual Harassment.
4. Employees cannot concurrently file a complaint under this procedure and with any external enforcement agency, such as the Georgia Commission on Equal Opportunity.

Section B: Filing of Non-Sexual Harassment Complaints

1. Prior to filing a formal complaint, employees are strongly encouraged to discuss and seek complaint resolution with their supervisor.
2. If resolution is not reached and a formal complaint will be filed, the complaint is to be filed with the Office of Human Resource (OHR) using the Unlawful Discrimination Complaint Form (See Attachment #1).
3. Complaints must be received by OHR **within ten (10) workdays** of the alleged discriminatory or harassing act or within ten (10) workdays of the date the employee learns of the alleged discriminatory or harassing act, whichever is later. Any evidence available to the employee, which supports the allegation, is to be submitted with the Unlawful Discrimination Complaint Form.
4. Complaints must be delivered, mailed, emailed or faxed to your assigned Human Resources Representative.

Section C: Initial Complaint Review

1. Within ten (10) workdays of receiving a complaint alleging unlawful discrimination or harassment, OHR will:
 - a. Acknowledge complaint receipt to the complainant and indicate the name, location and telephone number of the person assigned to conduct the complaint investigation.
 - b. Notify the appropriate management official(s) of the status of the complaint.
 - c. Forward a copy of the complaint with related materials to the assigned investigator.

Section D: Investigation

1. Within forty-five (45) workdays of receiving the complaint, the assigned investigator will do the following:
 - a. Contact the complainant and appropriate management official(s) to arrange for the investigation,
 - b. Conduct the investigation, and,
 - c. Submit a report of the findings and recommendations to the OHR Director.
2. Investigations may include, but are not limited to, the following:
 - a. Interviews with the complainant and the person(s) alleged to be involved with the unlawful discrimination,
 - b. Interviews with witnesses, and,
 - c. Review of documentation and supplemental information.
3. OHR may authorize an extension of up to thirty (30) calendar days to complete the investigation, if determined appropriate.

Section E: Complaint Determination

1. Within ten (10) workdays of receiving the investigator's report, the OHR Director will issue a letter of final determination to the complainant and appropriate management official(s).
2. If unlawful discrimination has been substantiated, the final determination will include corrective or disciplinary action, up to and including separation from employment.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1503 A1 Unlawful Discrimination Complaint Form

1504 Reprimand Review Process



Georgia Department of Human Services Human Resources Policy #1504

Reprimand Review Process

Release Date: December 14, 2010

Revised Date: February 20, 2020

References: DHS Human Resources Policy #1501 — Classified Employee Complaint Procedure

Next Review Date:

The following process is to be used by classified employees seeking reviews of written reprimands or written confirmation of oral reprimands.

Section A: Employee Eligibility

1. This process may be used by all Department of Human Services (DHS) classified employees whose employment averages twenty (20) or more hours a week.
2. An employee who has been notified of termination or is seeking relief or remedy on reprimand issues through the Georgia Commission on Equal Opportunity (GCEO) or other administrative or judicial process is not eligible to request a reprimand review.

Section B: Reprimand Definition

1. A written reprimand is part of the progressive discipline process. It serves as a warning to employees to improve performance and/or workplace behavior. A written reprimand or final written reprimand is generally issued before an employee is considered for suspension or termination barring any egregious matters. It typically includes the following information:
 - a. The date, time and/or place of the inappropriate behavior or performance,
 - b. Future expectations of the employee, and
 - c. The consequences should the inappropriate behavior or performance continues.
2. Written confirmation of an oral reprimand is a document that contains information similar to a written reprimand and has been issued to the employee.
 - a. Informal notation of an oral counseling that is only maintained in a supervisory file is not considered a written confirmation of an oral reprimand.

Section C: Reprimand Review Request

1. A reprimand review request may be filed by a classified employee who has received a written reprimand or written confirmation of an oral reprimand, as defined in this policy.
2. A reprimand review request must be received by the employee's assigned Human Resources Representative (HRP) within ten (10) workdays of the employee receiving the reprimand.

Section D: Reprimand Review Form

1. A reprimand review request must be filed on the Reprimand Review Form. (See Attachment #1)
 - a. This form must be completed in its entirety. Any documentation which indicates why the reprimand is not appropriate must be submitted with the Reprimand Review Form.
 - b. Documentation submitted must include a copy of the written reprimand or written confirmation of an oral reprimand.
 - c. Employees may use state resources including supplies and equipment, to provide copies of reprimand related documents to their assigned HRP.

Section E: Group Reprimand Review

1. A reprimand review request may be filed by a group of classified employees, if its regarding the same issue(s).
 - a. Members of a group reprimand review cannot file an individual reprimand review on the same issue(s).
 - b. The group must select a spokesperson to present all matters of the reprimand review. The group may select up to two (2) spokespersons.
 - c. Only the spokesperson(s) for a group reprimand review may request to use reprimand review preparation time. If a group reprimand review has more than one spokesperson, the requested reprimand review preparation time is limited to a combined total of four (4) hours, as approved by the supervisor.
 - d. All members of a group reprimand review must sign the Reprimand Review Roster Form (Attachment #2) certifying that the reprimand review involves the same issue and they agree with the cause for the reprimand review, as indicated in Section D 1(a).

Section F: Reprimand Review Assessment

1. Upon receipt of a reprimand review request, the HRP will:
 - a. Determine whether the issue(s) is eligible for review as defined by this process,
 - b. Obtain additional information as needed, and
 - c. Provide their review findings with a recommendation concerning the disposition of the reprimand to the OHR Director.
2. The OHR Director will review the findings, recommendations, and any other relevant information and issue a final decision to the employee.

- a. The written decision will be issued within five (5) workdays of receipt of the review request by OHR.
 - b. Copies of the final decision will be provided to the supervisor involved and the employee's assigned HRP.
3. The decision of the OHR Director is the final action on the reprimand.

Section G: Third Party Representation

1. Third party representation is not permitted under this process.

Section H: Reprimand Review Consolidation

1. When appropriate OHR may, consolidate multiple reprimand review requests by an employee into a single review; or,
2. Consolidate separate requests filed by two (2) or more employees regarding the same issue(s) into a single review.

Section I: Reprimand Review Request Withdrawal

1. A reprimand review request may be voluntarily withdrawn by the employee at any time during the review process. A reprimand review request that has been withdrawn is considered a closed matter and may not be refiled.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1504 A1 Reprimand Review Form

1504 A2 Reprimand Review Group Roster

1505 Mediation Procedure



Georgia Department of Human Services Human Resources Policy #1505

Mediation Procedure

Release D December 14, 2010
ate:

Revised D June 11, 2020
ate:

Next Revi
ew Date:

The Mediation Procedure is established to provide an informal, non-adversarial process in which employees and supervisors involved in workplace disputes may meet with a mediator. The intent is to resolve disputes between employees and/or supervisors by reaching a mutually satisfactory agreement. Both classified and unclassified employees may participate in mediation.

Employees and supervisors are encouraged to contact the Office of Human Resources (OHR) to discuss issues, which may be appropriate for mediation. Employees who are attempting to informally resolve disputes by requesting mediation prior to filing formal grievances should be mindful of filing deadlines within the grievance procedures.

Section A: Eligible Mediation Issues

1. Work-related disputes between colleagues or between employees and their supervisors may be appropriate for mediation. The issues may relate to a specific occurrence or may be ongoing.

Section B: Ineligible Mediation Issues

1. Mediation is inappropriate in some matters including, but not limited to, the following:
 - a. Issues which are pending or have been concluded by direct appeal to the State Personnel Board, the Georgia Commission on Equal Opportunity, or through other administrative or judicial procedures.
 - b. Allegations of unlawful discrimination or sexual harassment.
 - c. Pending staff reduction or other related actions; and,
 - d. Actions involving separations, demotions, salary reductions or suspensions with or without pay.

Section C: Initiating The Mediation Process

1. A supervisor or other authorized official may request that a mediation session be scheduled to resolve disputes between coworkers.

2. An employee may request that a mediation session be scheduled to resolve disputes with a coworker or supervisor.
3. A supervisor may request that a mediation session be scheduled to resolve disputes with a subordinate employee.
4. Mediation requests are to be submitted to OHR by using the Mediation Request Form (Attachment #1).
5. OHR may initiate mediation when work-related disputes are brought to their attention and mediation is determined appropriate.

Section D: Review and Notification

1. OHR will review all requests to determine if mediation is appropriate.
2. If it is determined that mediation is inappropriate, OHR will provide written notification with reasons for the denial within five (5) workdays.
3. If mediation is determined appropriate, OHR will schedule the mediation session.
 - a. OHR will assign a mediator.
 - b. The mediator should be the Human Resource Manager for that particular unit. They cannot be related to any person involved in the dispute or employed in the direct line of authority of any person involved in the dispute.
 - c. The employees and/or supervisors involved will be advised when a mediator has been assigned. Written notice of the time and location of the session will also be provided.

Section E: The Mediation Session

1. The mediator will conduct the session and work directly with each participant.
2. The mediation session will not be taped.
3. Only the persons involved in the dispute and the mediator are to be present in the session unless the session is observed for training purposes. Participation of third parties is prohibited.
4. The mediator actively listens to the people involved to discover how they would like to resolve the issue.
5. The mediator does not assign blame but helps the participants to agree upon a fair and reasonable solution.
6. If an agreement is reached, the terms are written down by the mediator and signed by both participants.
 - a. The mediation settlement agreement cannot violate laws, Rules of the State Personnel Board or DHS policies.
 - b. All mediation participants must comply with the terms of the mediation agreement, unless modified by mutual consent.
 - c. The settlement agreement should be added to each employee's personnel file.
7. If an agreement is not reached, the mediator will close the session. The employee must resolve

the issue through the appropriate formal process.

For additional information or assistance, please contact your local Human Resource Office, or email DHS-Policies@dhs.ga.gov.

1505 A1 Mediation Request Form