

Policy C-3	NON-POLICY ISSUE RESOLUTION		
<u>Effective Date:</u> 07/01/12	<u>Applicable Law/Statute:</u> None	<u>Source Doc/Dept:</u> All-CPD/HR	<u>Authorizing GB Reg.</u> GB Policy 3.3

A. PURPOSE. To set out MCCCDC's procedure for eligible employees to seek resolution of non-policy related conflicts and disputes in the workplace.

B. APPLICABILITY. All Regular, Board-approved employees.

C. POLICY

1. Generally. This manual provides various mechanisms for employees to seek resolution of conflicts and disputes in the workplace. Workplace disputes or conflicts other than those described below, which shall be referred to hereafter as "non-policy issues," may be resolved pursuant to this section. This Policy shall not apply to:
 - a. Complaints involving illegal discrimination, including allegations of sexual harassment or a violation of the ADA, which are resolved pursuant to the XX contained at Policy X;
 - b. Appeals of employee discipline, which are resolved pursuant to the XX contained at Policy X;
 - c. Allegations of a misapplication, misinterpretation, or violation of a specific provision of an applicable employee policy or Governing Board policy or administrative regulation which affects the employee are resolved pursuant to the Grievance Procedure contained at Policy C-2.
2. Interest-Based Negotiation (IBN) Approach. The District supports and recommends the Interest-Based Negotiation (IBN) approach to conflict resolution. This approach encourages the parties to a workplace dispute or conflict to meet with a facilitator and together:
 - a. Advocate for their interests
 - b. Educate one another on the issues
 - c. Jointly determine objective solution criteria
 - d. Create multiple options before determining possible solutions
 - e. Choose the option which best meets the identified interests & criteria
 - f. Build working relationships through conflict resolution
3. Utilizing IBN. In the event of a non-policy issue between one or more employees of the District, all parties involved are encouraged, as soon as possible after the recognition of the existence of the dispute, to utilize the IBN approach to resolve the issue.
4. Representation. Any participant in the process may request the presence of a fellow MCCCDC employee to represent them and provide perspective during the process. All parties will be notified in advance if a representative is attending. The representative must agree to adhere to confidentiality protocols of the process and may not share information about the content of the process either verbally or in written form. Legal representation is not considered appropriate in

this informal process. If a participant wishes to have legal representation, they are invited to use one of Maricopa's formal processes instead.

5. Facilitators. The District maintains a list of employees who are trained IBN facilitators. If all of the parties to a non-policy issue are in agreement to use the services of a District-trained facilitator to assist them with the resolution, the employees are encouraged to contact the District HR Solutions Center to secure the services of an appropriate facilitator acceptable to all parties. The services of the facilitator in this instance are:
 - a. Confidential
 - b. Solution-Focused
 - c. Impartial
 - d. Conciliatory
 - e. Based on the IBN approach to conflict resolution.
6. Non-Exclusive Remedy. The use of this process to attempt to resolve a workplace dispute or conflict shall not preclude the employee(s) from seeking resolution through any other applicable internal and/or external dispute resolution process.
7. Non-Retaliation. Employees have the right to seek resolution of non-policy issues pursuant to this procedure without prejudice, and no employee who participates in this process shall be subjected to corrective action, harassed, or otherwise unfairly dealt with as a result.