

# **LSC policy for formal complaints**

## **(LIGO Document M1300005-v2)**

### **1 Overview**

This document describes the policy of the LIGO Scientific Collaboration (LSC) for formally addressing interpersonal concerns or problems that may arise when a LSC member perceives that, in the performance of LSC activities, an unfair act has occurred which leads to an injustice or harm.

Although the LSC encourages open communication between its members, in order to provide fairness and equity in the Collaboration's work environment, the LSC has established a formal Grievance Procedure that is accessible to all members and serves as the Collaboration procedure for the resolution of LSC-related complaints and grievances.

There will be no negative consequences, and no retaliation tolerated, for LSC members using or participating in the Collaboration problem resolution process in good faith.

### **2 Definitions**

For purposes of this policy, a grievance is defined as any difference arising between two LSC members as peers or in the LSC organization hierarchy, as to the interpretation or application of an LSC rule, policy, or procedure.

A LSC activity is defined as any work activity performed by LSC members in support of the LSC mission in the form of presence at the Observatories for commissioning and observation, outreach, service work, and technical and/or analysis contributions.

### **3 Applicability**

The intent of this procedure is to provide LSC members with a way to discuss and address work-related concerns or problems involving the Collaboration.

This procedure applies only when other formal processes do not exist. It does not take the place of LSC institution grievance procedures nor is it intended to replace reporting to appropriate law enforcement agencies.

In particular, LSC members who believe they have been subject to discrimination in matters of employment or matters of sexual harassment should take the matter to the attention of the appropriate office of the institution where the injustice or harm has occurred. In these cases, LSC members may also seek informal advice from the LSC Spokesperson and/or the LSC Ombudsperson (see Section 7).

## 4 Issues not addressed by this policy

This policy does not apply to (a) grievances unrelated to LSC activities and (b) grievances between members from the same LSC institution. Where there is a question of applicability, the LSC Spokesperson will determine whether or not an issue may be dealt with through this grievance process. If a matter is found non-grievable, the LSC Spokesperson will inform in a timely fashion all parties involved.

## 5 Eligibility

This procedure is available to all LSC members during the performance of their LSC activities as described in the LSC bylaws.

## 6 Effect of grievance on LSC member

Filing a grievance will not itself jeopardize the grievant's position in the LSC. This policy forbids retaliation against any LSC member based upon the LSC member's participation in the grievance procedure.

A LSC member shall not be coerced by any other LSC member to proceed (or not to proceed) with a grievance.

## 7 Additional Resources

Should the aggrieved LSC member not wish to pursue this formal grievance process, the LSC also offers the option of seeking confidential, informal discussion outside this formal grievance process for resolving complaints. Those seeking this option for assistance should check with the LSC Ombudsperson, who has his/her own mandate and guidelines for providing help. (See [LIGO Document M1300006](#).)

## 8 Exception

Any exception to this policy requires the approval of the LSC Spokesperson.

## 9 Informal resolution

The mutual interest of all the parties involved in a grievance is best served when there is regular, forthright communication.

A LSC member who believes a justifiable LSC-related complaint exist shall take steps to resolve the problem in a discussion with the other party. The LSC Ombudsperson may provide confidential non-binding advice in the informal resolution. Should informal attempts at resolution not be satisfactory, the LSC member may then file a formal grievance according to this Procedure.

The LSC member may seek the assistance of the LSC Spokesperson and the LSC Ombudsperson in the use of the mediation. The LSC Spokesperson and the LSC Ombudsperson are available to assist the Collaboration members involved in any LSC-related problem or concern and provide free and non-binding advice on matters of policy interpretation, rights of LSC members and use of the formal grievance procedure.

## **10 Records**

The official records of the progress of a grievance and the established time limits are kept by the LSC Spokesperson or by the Laboratory Director for grievance filed against the LSC Spokesperson. A dated copy of the grievance form must be provided to the LSC Spokesperson (or Laboratory Director) each time a section has been completed by the parties involved.

## **11 Time Limitations**

This grievance procedure sets forth time limits for initiation of action on each step of the procedure. If a grievance is not forwarded by the LSC member within the time allowed in any step, the grievance will be considered discontinued, and no further review will take place. A written grievance which is not answered within the time allowed may be sent on to the next step within the allotted time frame by the LSC member. The LSC Spokesperson may extend any time limit in the grievance process with the mutual agreement of the parties.

## **12 Grievance Procedure**

All LSC members may consult with the LSC Spokesperson for assistance at any time. During the problem resolution process, interviews and/or meetings with LSC members and management may be conducted. No external legal representatives, such as attorneys, will be permitted to attend interviews or meetings. No tape or other recordings will be made of interviews or meetings.

Formal complaints against the LSC Spokesperson follow the special procedure described at the end of this section.

### **12.1 STEP I**

In order to use this process, a LSC member must bring a workrelated concern or problem to the attention of his or her group LSC-PI or LSC-PI's designated representative in writing within 30 calendar days of the original incident or event about which the LSC member wishes to complain or when the pertinent facts became known to the LSC member.

The LSC-PI will inform the LSC Spokesperson of the receipt of the grievance. The LSC-PI will look into the concern or problem and make a reasonable effort to resolve the grievance within a reasonable time. The LSC-PI will provide the LSC member with a written answer within 10 working days after the matter has been brought to his or her attention.

Upon completion of this process, the LSC-PI will forward a copy of the grievance and answer to the LSC Spokesperson. If the circumstances of the complaint are such that it would be inappropriate for the LSC-PI to address the complaint, the LSC member may bring his or her complaint directly to his or her working group co-chair(s) as defined in the LSC Organizational Chart (step II), or directly to the LSC Spokesperson (step III).

## **12.2 STEP II**

If the LSC member is not satisfied with the LSC-PI's resolution and would like additional review, or the circumstances of the complaint are such that it would be inappropriate for the LSC-PI to address the complaint, the LSC member must request in writing the co-chair(s) of the working group that most closely relates to the complaint to review his or her concerns within 10 working days of receiving the response from his or her LSC-PI or within 30 calendar days of the original incident or event about which the LSC member wishes to complain or when the pertinent facts became known to the LSC member.

Within 10 working days from receipt of the written grievance, the working group co-chair(s) or designated representative(s) will schedule a meeting with the LSC member, the group LSC-PI, and any other individuals the working group co-chair(s) determine will assist in the research into and resolution of the problem. The meeting shall be held within 10 working days from receipt of the written grievance. The meeting will be closed. If possible, the working group co-chair(s) will resolve the problem at this meeting. If a resolution is not possible, the working group co-chair(s) will have 10 working days in which to make a final decision. The decision will be promptly communicated to the LSC member and the LSC-PI in writing by the working group co-chair(s).

Upon completion of this process, the working group co-chair(s) will forward a copy of the grievance and decision to the LSC Spokesperson. If the circumstances of the complaint are such that it would be inappropriate for a working group co-chair(s) to address the complaint, the LSC member may bring his or her complaint directly to the LSC Spokesperson (step III).

## **12.3 STEP III**

If resolution is not reached between the LSC member and the working group co-chair(s), and the LSC member wishes further review of his or her concerns, or the circumstances of the complaint are such that it would be inappropriate for the LSC-PI and working group co-chair(s) to address the complaint, within 10 days of receiving the working group co-chair(s) response, or within 30 calendar days of the original incident or event about which the LSC member wishes to complain or when the pertinent facts became known to the LSC member, the LSC member must submit a written appeal, or file a grievance, to the LSC Spokesperson.

The LSC member's appeal or grievance should include:

- a description of the concern or problem, the policy that he or she believes was not followed or violated,
- the LSC member's suggestions about ways in which the problem or concern may be resolved,
- the LSC-PI and working group co-chair(s)' proposed resolution if any,
- a copy of the LSC-PI or working group co-chair(s)' written response if any,
- any other related written material the LSC member received from the LSC-PI and working group co-chair(s),
- and any other pertinent documents or information.

The Spokesperson will review the information provided by the LSC member, evaluate the basis of his or her request, determine if the appeal should be considered further, and inform the LSC member of the decision. In the case that the Spokesperson deems that no further action is necessary, the decision becomes final.

If the Spokesperson determines that the LSC member's appeal should be continued further, the appeal will be considered by a review committee comprised of a senior LSC member or designee in the LSC member group, a senior LSC member outside the member's group and selected by the LSC Spokesperson, and the LSC Spokesperson. The meetings of the review committee will be closed. The LSC Spokesperson will take steps to ensure that the complaint is heard in a timely fashion. The review committee will review the LSC member's complaint and make a decision as to the complaint.

The decision will be communicated to the LSC Spokesperson and the LSC member in writing within 30 days. The decision of the review committee is final.

## **12.4 Grievance against the LSC Spokesperson**

In order to file a formal grievance against the LSC Spokesperson, a LSC member must bring the concern or problem to the attention of the LIGO Laboratory Executive Director in writing within 30 calendar days of the original incident or event about which the LSC member wishes to complain or when the pertinent facts became known to the LSC member.

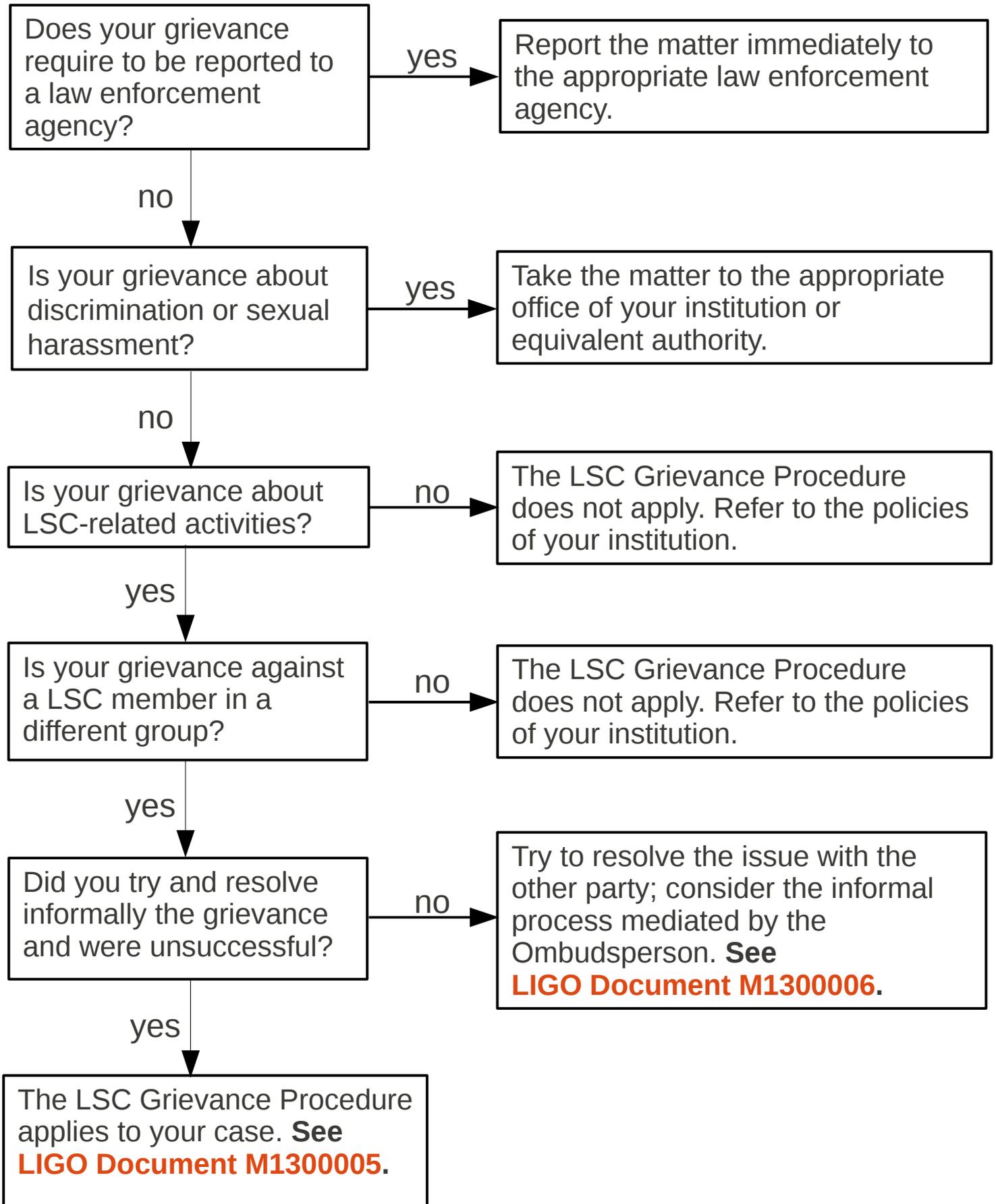
The Executive Director will inform the LSC Executive Committee of the receipt of the grievance. The Executive Director will look into the concern or problem and make a reasonable effort to resolve the grievance within a reasonable time. The Laboratory Director will provide the LSC member with a written answer within 10 working days after the matter has been brought to his or her attention.

If the LSC member is not satisfied with the Executive Director's resolution and would like additional review, within 10 days of receiving the Executive Director's response, the LSC member must submit a written appeal to the Executive Director. Within 10 working days from receipt of the written appeal, the Executive Director or designated representative in consultation with the LSC Executive Committee (minus the Spokesperson) will schedule a meeting with the LSC member, the LSC Spokesperson, and any other individuals the Executive Director determine will assist in the investigation and resolution of the problem. The meeting shall be held within 10 working days from receipt of the written grievance. The meeting will be closed. If possible, the

Executive Director will resolve the problem at this meeting. If a resolution is not possible, the Executive Director will have 10 working days in which to make a final decision in consultation with the LSC Executive Committee (minus the Spokesperson). The decision will be promptly communicated in writing by the Executive Director to the LSC member and to the LSC Spokesperson.

Upon completion of this process, the Executive Director will forward a copy of the grievance and answer to the LSC Executive Committee.

# Applicability of LSC Formal Grievance Procedure



# LSC Formal Grievance Procedure

