



## EMPLOYEE GRIEVANCE COMMITTEE



# HANDBOOK

A policy and procedure manual of best practices for processing  
appeals of workplace grievance decisions

VOTED DEC. 10, 2023  
SAC EXECUTIVE COMMITTEE

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## **1 - Introduction**

In the hopefully rare event that the Employee Grievance Committee (hereinafter referred to as “the Committee” or “EGC”) is asked to adjudicate a dispute or grievance, the following terms and principles of operation shall be the standard by which cases are addressed and resolved.

The South Atlantic Conference (SAC or Conference) Employee Dispute and Conflict Resolution Protocol (June 11, 2023) explains how employees should address their difficulties and voice their complaints in a constructive and mutually respectful way. Conference leaders and supervisors are interested in knowing anything that negatively affects employees personally or hinders their work, so they can resolve the issues as quickly as possible. Employees are entitled to a fair, easy-to-follow grievance procedure for their complaints to be heard and to mitigate work and workplace-related conflicts.

Conference leadership encourages employees to communicate their grievances. That way, a supportive and pleasant workplace can be fostered for the benefit of every employee. The Employee Grievance Committee (EGC) is a standing committee of the Conference. The Terms of Reference for the EGC set forth the membership and procedures for how the committee functions to achieve the goal of hearing and resolving employee grievances, if all good faith efforts to apply the Employee Dispute and Conflict Resolution Protocol fail to yield mutually agreed settlement of issues, including any conflict-of-interest concerns with, and appeals to the Human Resources Department.

This handbook covers the following topics relative to the handling of employee grievances.

## **2 - Legal Disclaimer**

This Handbook is intended as a guideline to assist in the consistent and fair application of policies and procedures for employees. It does not create a contract, implied or expressed, with any South Atlantic Conference of Seventh-day Adventist employees, who are employees at will. SAC reserves the right to modify this policy in whole or in part at any time, at the discretion of the Conference. Although every care has been taken to ensure the accuracy of information provided in this Handbook, SAC, their agents, employees, and contractors expressly disclaim any responsibility for any errors, mistakes, or interpretations that may occur, however, caused, and accept no liability on any basis. The content of this Handbook is not to be construed in any way whatsoever as professional advice. Nothing in this policy shall be interpreted to take away from SAC any rights or privileges inherent to its employer status or management functions.

## **3 - Definition of Grievance**

“A cause of distress (such as an unsatisfactory working condition) felt to afford reason for complaint or resistance.” Merriam-Webster Dictionary

Examples of cause of distress include, but not limited to alleged sexual harassment, alleged injustice (wrongdoing), and unsatisfactory or unfavorable or hostile work environment.

## **4 - Authority, Limitations, and Relationships of the EGC**

### Authority

The Employee Grievance Committee derives its existence and authority from Article IV, Section 1.7 of the SAC Bylaws and is enabled and empowered to adjudicate matters of dispute and conflict between SAC employees and the Conference (its policies, protocols, duly elected or appointed leaders, and decisions). The decisions of the EGC shall be final.

### Limitations

The decisions of the EGC shall be final, insofar as such decisions are not in conflict with applicable labor laws of the United States of America, NAD Working Policy, the Southern Union Conference Education Code Book, or the South Atlantic Conference Employee Handbook.

### Relationships

The EGC is a standing committee of the South Atlantic Conference. The work of the EGC only commences after the EGC Chairperson certifies that the complainant has, in good faith, followed the voted Protocol for Employee Workplace Conflict Resolution as published on the Conference website. The EGC shall convey its findings in each case in writing to the Human Resources Director and ADCOM, and to the Conference Executive Committee where applicable.

## **5 - Qualification and Selection of Employee Grievance Committee Members**

Committee members shall be full-time employees of South Atlantic Conference of Seventh-day Adventists who are selected by their job description peers. They should be persons of good repute for fair-mindedness, their acumen for analyzing and discerning difficult matters, a peacemaking spirit, and their ability to manage personal bias and render an impartial judgment. They should demonstrate a level-headed commitment to fact-based decision-making.

The Employee Grievance Committee (EGC) is comprised as follows:

- A. The Committee shall consist of 10 members (including the Chairperson) who shall serve for one-year terms with a maximum of 2 consecutive years of appointment on a staggered basis to ensure continuity (calculated at the voted date of appointment). The Chairperson may be appointed for a maximum of 3 consecutive years. The Committee shall appoint a Recording Secretary from among themselves to keep minutes of meetings and voted recommendations or rulings. Minutes and discussions of this Committee are strictly confidential. Breach of confidentiality shall be cause for dismissal from this Committee.
- B. Members of the EGC are selected according to the Terms of Reference (see Exhibit A).
- C. The Committee shall include:
  1. A Committee Chairperson, who shall be a SAC member with professional HR background, but not an employee of SAC (nor has worked for SAC in at least 5 years-to-date prior to this appointment). ADCOM shall select the Chairperson in accordance with the Terms of Reference (see Exhibit A).

2. Committee Members - The HR Director shall collaborate with the responsible liaisons: (a) VP for Pastoral Ministries, (b) VP for Education, (c) Office Manager, and (d) the Executive VP, respectively to ensure the timely conclusion of the selection processes indicated below.
  - 3 Pastors (1 per state, selected by the officers of the State Ministerial Associations)
  - 3 Educators (1 per state, selected by vote of the educators from each state)
  - 2 Support Staff (one salaried and one hourly person, jointly selected by the ABC, Campground, and Office staff)
  - 1 Departmental Director (a non-Executive Committee member, selected in a meeting of the Directors)

The EGC shall operate according to the guidelines and standards outlined in this Handbook.

## **6 - Required Orientation and Training for the EGC Members**

Members of the committee are required to attend the scheduled orientation to be instructed in the work of the committee. This requirement shall be fulfilled before the member is seated to participate in the adjudication of any case, without exception. The EGC Chairperson shall ensure that each committee member is provided with the approved materials and resources preferably before but no later than during the orientation session.

The orientation of EGC members should cover the following topics and materials

1. The Employee Workplace Conflict Resolution Protocol
2. The SAC Employee Handbook
3. The SAC Conflict of Interest Statement (members must sign and return before being seated to participate in any case)
4. The SAC Basic Mediation Guide (published on the Conference website)
5. Any other resource recommended by the Chairperson and approved by ADCOM

## **7 - Filling of Vacancies on the EGC**

In event of a vacancy on the committee, replacement members shall be selected by the respective bodies by whom they were chosen, no later than 60 days after the vacancy occurs.

No case shall be processed by the committee without the required quorum.

If employees/members are transferred within their state and maintain their job descriptions, there shall not be a vacancy as a result of their transfer. Where vacancies occur due to employees moving out of their state or a change of job description, the vacancies shall be filled according to the opening paragraph in this section.

## **8 - Conflicts of Interest and Recusal from Affected Cases**

All committee members shall sign and return the annual SAC Conflict of Interest Statement by the due date as established by ADCOM each year. Failure to comply with this requirement will result in termination of service on the EGC by default.

If there is a real or perceived conflict of interest, members shall recuse themselves or be asked by the Chairperson to recuse themselves from the specific case where the conflict of interest may exist. If the Chairperson has a potential conflict of interest, he or she must immediately recuse himself or herself and notify ADCOM. ADCOM will provide a temporary replacement Chairperson for the case under review. The regular Chairperson shall resume his or her chairmanship of the EGC once the case in conflict of interest has been decided.

## **9 - Quorum**

The EGC shall meet in closed meetings to hear the matters brought before them, with no less than five (5) employees/members plus the Chairperson, a total of six (6) persons.

## **10 - Confidentiality and Non-Disclosure Agreement**

Members of the EGC shall respect and maintain confidentiality regarding the cases that come before them. It would be a serious breach of confidentiality for a fellow employee to hear their personal matters back through the gossip mill.

Members of the EGC shall sign and return the annual Employee Grievance Committee Non-Disclosure Agreement by the due date as established by ADCOM. Verified violation of the NDA shall be cause for removal from the EGC.

## **11 - Complainant's Right of Appeal**

SAC employees have the right of appeal to the Employee Grievance Committee if they believe that their case was not resolved fairly or satisfactorily when they followed the Employee Workplace Conflict Resolution Protocol. The complainant's proper submission of an appeal application and the signed **Certification Form for Compliance with Dispute and Conflict Resolution Protocol for Conference Employees and Workplaces** shall trigger an automatic hearing before the EGC.

## **12 - Procedure for Filing an Appeal**

To secure a hearing before this committee, employees shall complete and submit the required Fillable Appeal Application and Intake Form (see Exhibit B) and be prepared to also complete the Fillable Certification Form for Compliance with Dispute and Conflict Resolution Protocol for Conference Employees and Workplaces (see Exhibit C).

## **13 - The Grievance Adjudication Process**

Employees who wish to secure the intervention of the EGC in their dispute, as well as the members of the EGC, should be aware of the following adjudication process.

- A. Complainant submits application for a hearing before the EGC to the Chairperson
- B. The EGC Chairperson ensures that the applicant adheres to the intake requirements
- C. The EGC Chairperson notifies all respondents as required by this handbook
- D. The EGC Chairperson arranges the date, time, and forum of the grievance appeal meeting (the EGC may meet in person or by virtual means such as Zoom where all persons present for the meeting are able to properly hear and see each other simultaneously)

- E. The EGC Chairperson notifies all committee members and parties of the appeal meeting
- F. The appeal meeting is conducted by the Chairperson at the time and in the manner agreed upon and announced. This is a closed and confidential meeting. Non-disclosure is a binding requirement on all committee members as previously agreed in writing.
- G. No lawyers may represent parties in this process, but parties may introduce written and other validated evidence in furtherance of their case as the EGC shall determine
- H. The EGC shall make its ruling after disputants have been dismissed from the meeting, and the Chairperson shall notify all relevant parties in writing within the stipulated time
- I. The rulings and judgments of the EGC are final

**14 - Case Management Timeline (when each step should be completed)**

Days are calculated from the date complainant submits application, and are defined as SAC business days between 8:00 AM to 6:00 PM when the office is open to the public. Hours are SAC office hours during days the office is open to the public for business. Parties refers to those directly involved in the dispute, the complainant and those named (or representatives of the body) as respondents in the complaint. The steps of an appeal case that comes before the EGC should adhere to the following schedule (the schedule may be slightly impacted, if ADCOM should need to assign a temporary Chairperson, per Section 8 on p. 5).

<b>STEP</b>	<b>DAYS</b>	<b>ACTION</b>	<b>EXPECTATION</b>
1	0	Complainant submits the hearing application to the Chairperson	Application should be sent to the published email address.
2	2	Chairperson acknowledges receipt of the application	Chairperson replies via email within 2 days
3	5	Complainant completes and returns Certification of Compliance form	Fillable form completed and returned to EGC Chairperson
4	7	Chairperson notifies respondent(s) named in the complaint	Chairperson sends email notification within specified time
5	10	Chairperson secures agreement with parties on date, time, and forum of the grievance hearing meeting	Chairperson notifies EGC members and parties of meeting date, time, and forum via email
6	18	Grievance mediation meeting takes place as agreed by parties with final outcome decided by secret ballot	EGC quorum and conflicts of interest requirements satisfied, with parties excused before vote
7	21	EGC Chairperson communicates judgment to parties via email	Judgment also communicated to HR (and ADCOM if necessary)

**15 - Roles and Responsibilities of the EGC Chairperson**

The EGC Chairperson shall:

- 1. Provide orientation as stipulated in this handbook for all new members of the EGC
- 2. Ensure that all EGC members have signed the required Conflict of Interest form, the Non-Disclosure Agreement, and any other required documents

3. Recuse himself or herself if there is any appearance of a conflict of interest in any case by notifying ADCOM immediately (no later than 2 days after receipt of the application or when the parties are identified, whichever is earlier)
4. Receive and process applications for case appeals as stipulated in this handbook
5. Chair all meetings of the EGC (except in cases of recusal due to potential conflict of interest, illness, etc., in which case, ADCOM should be notified and will appoint a temporary replacement Chairperson if necessary)
6. Conduct a secret ballot vote to decide the outcome of each case
7. Vote **ONLY** when it is in the Chair's best judgment to either make or break a tie
8. Lead and oversee the appeal process of each case in an unbiased and neutral manner in harmony with the instructions and core principles of this handbook
9. Follow the Case Management Timeline as indicated in this handbook to properly dispose of each matter that comes before the committee, being sure to confer with the Recording Secretary prior to sending notification of the Committee's decision to ensure accuracy
10. Observe strict confidentiality and hold committee members accountable for the same

## **16 - Roles and Responsibilities of the EGC Recording Secretary**

The EGC Recording Secretary shall:

1. Take accurate record of voted actions ONLY (however, not of statements, evidence, etc.) in each case handled by the EGC to assist the Chairperson in sending accurate notification of the committee's judgment to necessary parties
2. Assist the Chairperson to ensure that all EGC members have signed the required Conflict of Interest form, the Non-Disclosure Agreement, and any other required documents
3. Assist the Chairperson to ensure that the Case Management Timeline as indicated in this handbook is followed to properly dispose of each matter that comes before the committee
4. Observe strict confidentiality and destroy all copies of any voted actions, testimony and evidence after filing the original (signed) minutes with the Conference HR Department

## **17 - EGC Options for Final Rulings**

The EGC may utilize, at its collective discretion based on the facts presented, and not in conflict with the labor laws of the United States of America, NAD Working Policy, the Southern Union Conference Education Code Book (where applicable), or the South Atlantic Conference Employee Handbook, any of the following remedies for the cases that it shall adjudicate:

1. Affirm the previous decision made by HR or ADCOM
2. Reverse the previous decision made by HR or ADCOM
3. Render another decision that retains a part of the previous decision in the case
4. Facilitate a mutually agreed settlement between parties

## **18 - Reporting of Committee Decisions**

Decisions of the EGC shall be reported to the Human Resources Director (and to ADCOM if the HR Department was a party to the case). The report shall be presented via email by the Committee Chairperson, upon verification of accuracy by the Recording Secretary.



The EGC Chairperson shall appear before the Conference Executive Committee as requested by vote of that Committee or upon approval of a request from the EGC Chairperson to report on the outcome of particular cases or the overall operation of the EGC. Only the outcome of cases may be shared with the Executive Committee, and not the details that would violate confidentiality and the Non-Disclosure Agreement.

# EXHIBITS

# **SOUTH ATLANTIC CONFERENCE of SDA**

## **EXHIBIT A**      **Terms of Reference for Employee Grievance Committee** (Voted by Executive Committee October 15, 2023)

### **Brief Policy and Purpose**

The South Atlantic Conference (SAC or Conference) Employee Dispute and Conflict Resolution Protocol (June 11, 2023) explains how employees can address their difficulties and voice their complaints in a constructive way. Conference leaders and supervisors are interested in knowing anything that negatively affects employees personally or hinders their work, so they can resolve the issues as quickly as possible. Employees are entitled to a fair, easy-to-follow grievance procedure to be heard and mitigate conflicts.

Conference leadership encourages employees to communicate their grievances. That way, we can foster a supportive and pleasant workplace for everyone. The Employee Grievance Committee (EGC) is a standing committee of the Conference, per the SAC Bylaws [see Article IV, Section 1(7)]. These Terms of Reference set forth the membership and procedures for how the committee functions to achieve the goal of hearing and resolving employee grievances, if all good faith efforts to apply the Employee Dispute and Conflict Resolution Protocol fail to yield mutually agreed settlement of issues, including any conflict-of-interest concerns with, and appeals to the Human Resources Department.

### **General Procedures and Membership of the Committee**

The Employee Grievance Committee (EGC) functions under the auspices of the Human Resources (HR) Department, and provides grievance rulings to HR and reports to the Executive Committee as needed.

- A. The Committee shall consist of 10 members (including the Chairperson) who shall serve for one-year terms with a maximum of 2 consecutive years of appointment on a staggered basis to ensure continuity (calculated at the voted date of appointment). The Chairperson may be appointed for a maximum of 3 consecutive years.
- B. The Committee shall appoint a Recording Secretary from among themselves to keep minutes of voted recommendations and rulings.
- C. Members of the EGC are selected according to the formula shown below (see E2).
- D. A full description of the operation of the EGC may be found in the SAC Employee Grievance Committee Handbook.
- E. The Committee shall include:
  1. A Committee Chairperson
    - Shall be a SAC member with professional HR background, but not an employee of SAC (nor has worked for SAC in at least 5 years-to-date prior to this appointment).
    - ADCOM shall consider at least three candidates simultaneously before voting to appoint the Chairperson.
  2. Committee Members - The HR Director shall collaborate with the responsible liaisons: (a) VP for Pastoral Ministries, (b) VP for Education, (c) Office Manager, and (d) the Executive VP, respectively to ensure the timely conclusion of the selection processes indicated below.
    - 3 Pastors (1 per state, selected by the officers of the State Ministerial Associations)
    - 3 Educators (1 per state, selected by vote of the educators from each state)
    - 2 Support Staff (one salaried and one hourly person, jointly selected by the ABC, Campground, and Office staff)
    - 1 Departmental Director (a non-Executive Committee member, selected in a meeting of the Directors)

The EGC shall operate according to the guidelines and standards outlined in the EGC Handbook.

**Exhibit B - Fillable EGC Appeal Application and Intake Form**

<h2 style="margin: 0;">Employee Grievance Committee</h2> <p style="margin: 0;">South Atlantic Conference of Seventh-day Adventists</p>			
<h3 style="margin: 0;">Fillable Appeal Application and Intake Form</h3>			
<p style="font-size: 1.2em; font-weight: bold; margin: 0;">UNDERSTAND YOUR REQUEST </p>	<p>You are requesting a hearing before the SAC Employee Grievance Committee (EGC) to seek resolution of your case that has gone through the steps required by the SAC Dispute and Conflict Resolution Protocol for Conference Employees and Workplaces. The Certification of Compliance Form must be signed and emailed to the EGC Chairperson before a hearing will be granted.</p>		
PLEASE PROVIDE REQUESTED INFORMATION BELOW			
LAST NAME	FIRST NAME	TITLE OR POSITION	TODAY'S DATE
EMAIL ADDRESS:		TRANSLATION NEEDED?	<input type="radio"/> No <input type="radio"/> Yes
CURRENT PLACE/LOCATION OF EMPLOYMENT			
<p style="font-weight: bold; color: #0070c0; margin: 0;">BRIEFLY STATE YOUR APPEAL</p> <p>Briefly state the concern or problem to be resolved. Kindly remember that this application is an appeal of a previous decision by HR or ADCOM</p>			
<p><b>YOUR REQUEST AND COMMITMENT:</b> I hereby request a hearing before the EGC to appeal the decision previously made in my case as I have described above. I will participate in this process in good faith with a desire to resolve the issue or concern amicably with my peer(s), coworker(s), and fellow Christian laborers. Any testimony or evidence I give will be based on demonstrable facts that comply with US labor laws, NAD Working Policy, the Southern Union Conference Education Code Book if applicable, and the South Atlantic Conference Employee Handbook. I understand and accept the promise by the EGC that my case will be treated with the strictest confidentiality. I am willing to sign a Non-Disclosure Agreement as have the members of the EGC.</p>			
Signature:		Phone Number:	

**Exhibit C – Fillable Certification Form for Compliance with Dispute and Conflict Resolution Protocol for Conference Employees and Workplaces**

<h2 style="text-align: center;">Employee Grievance Committee</h2> <p style="text-align: center;">South Atlantic Conference of Seventh-day Adventists</p>			
<h3 style="color: #0070C0;">Fillable Compliance Certification Form</h3>			
<p><b>PLEASE READ CAREFULLY</b> </p>		<p>Please complete this form to indicate your compliance with the SAC Dispute and Conflict Resolution Protocol for Conference Employees and Workplaces. This form must be signed and emailed to the Employee Grievance Committee Chairperson before a hearing will be granted.</p>	
LAST NAME	FIRST NAME	POSITION	TODAY'S DATE
PLEASE PROVIDE A BRIEF DESCRIPTION AND HISTORY OF YOUR COMPLAINT BELOW			
DATE OF STEP #1	A BRIEF STATEMENT OF THE ORIGIN OF THE PROBLEM	NAME THE INVOLVED PARTY	DESCRIBE THE OUTCOME
		<input type="radio"/> Employee	
		<input type="radio"/> Supervisor	
		<input type="radio"/> Human Res	
		<input type="radio"/> Other	
DATE OF STEP #2	A BRIEF STATEMENT OF THE ORIGIN OF THE PROBLEM	NAME THE INVOLVED PARTY	DESCRIBE THE OUTCOME
		<input type="radio"/> Supervisor	
		<input type="radio"/> Human Res	
		<input type="radio"/> ADCOM	
DATE OF STEP #3	A BRIEF STATEMENT OF THE ORIGIN OF THE PROBLEM	NAME THE INVOLVED PARTY	DESCRIBE THE OUTCOME
		<input type="radio"/> Human Res	
		<input type="radio"/> ADCOM	
<p>I hereby certify that I have followed the above steps in seeking to resolve my concerns at the lowest level possible and with the fewest number of people necessary, based on the requirements of the SAC Dispute and Conflict Resolution Protocol for Conference Employees and Workplaces.</p>			
Signature:		Phone Number:	