



## COUNTY OF CARROLL

### OFFICE OF THE COMMISSIONERS

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Policy Title:	Complaint Policy: Non-Union
Effective Date:	08/01/2012
Revision Date:	03/16/2023
Reference(s):	

**Policy:** Carroll County intends to resolve employee complaints at the lowest appropriate supervisory level. Carroll County encourages its employees and Supervisors/Department Heads to discuss disputed issues in an informed and informal manner to attempt to resolve problems promptly and directly, prior to an employee filing a complaint.

There will be no retaliation against any employee who, in good faith, files a complaint, or any employee who assists in the investigation or resolution of a complaint.

Frivolous complaints will not be tolerated. Any employee knowingly filing a frivolous, malicious, or bad faith complaint may face appropriate disciplinary action up to and including termination of employment.

**Procedure:** For the purposes of this procedure, "working days" are defined as Administrative working days, i.e., Monday through Friday during the regular business hours of 8:00 am to 4:00 pm.

**A. Intra-Departmental Hearing of Facts:** Employees must present their complaint in writing to their Supervisor for consideration.

1. A complaint must be received within seven (7) calendar days after the event on which the complaint is based.
2. The Supervisor will schedule a meeting with the employee within five (5) working days after receiving the complaint to hear the specifics of the complaint. The Supervisor will consider the facts of the complaint, and may seek additional information including obtaining information through conducting interviews or obtaining documentation where the Supervisor deems additional fact-finding is necessary and desirable.
3. A written decision will be presented by the Supervisor to the employee within ten (10) working days of the meeting.

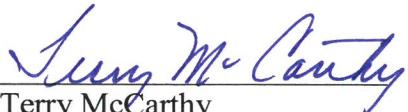
**B. Administrative Hearing:** If the employee disagrees with the decision rendered by the Supervisor, an employee may request a Department-level Administrative Hearing that will be coordinated by Human Resources.

1. A written request for a hearing may be submitted to the Department Head, within five (5) working days following the receipt of the written decision of the Supervisor.
2. The Department Head will schedule a hearing within five (5) working days after receiving the written request. At the Administrative Hearing, the Department Head will consider the facts of the original complaint, provide the complaining employee an opportunity to be heard, and the Supervisor with an opportunity to explain the reasons for the Supervisor's decision.
3. A decision in writing will be presented by the Department Head to the Supervisor and to the complaining employee within ten (10) working days of the hearing.

**C. County Commissioners Appeal:** If the employee disagrees with the decision rendered by the Department Head, the employee may request an appeal to the County Commissioners.

1. A written request for an Appeal may be submitted to the County Commissioners within five (5) working days following receipt of the written decision of the Department Head.
2. The County Commissioners will review the facts and may, at their discretion, request witnesses or documentation in order to render an informed decision.
3. Within ten (10) working days after receiving the written request the Commissioners will either render their Appeal decision, or schedule a Commissioners' Hearing.
4. The Commissioners may, at their discretion, hold either a formal or informal Hearing. This action may result in a delay of final resolution.
5. The Commissioners reserve the right to appoint a Hearing Officer at their discretion.
6. The Commissioners reserve the right to retain legal counsel, at their discretion. This action may result in a delay in final resolution.
7. The Commissioners are not required to retain legal counsel or to request an outside investigation of fact-finding where, in the Commissioners' discretion, such steps are not deemed necessary or appropriate.
8. The Commissioners reserve the right to hold a public hearing where the employee filing the complaint has made his/her complaint public and/or has requested a public hearing, taking care to protect the security of the facilities and the privacy of any third parties, and the confidentiality of confidential information to the extent possible.
9. The Commissioners will render a written decision within fifteen (15) working days after the hearing.
10. A decision rendered by Board of Commissioners will be considered final, unless the complaint is regarding a discharge or suspension from employment. Per RSA 28:10-a, the employee may then make an appeal to the Personnel Committee of the Delegation.

11. The Commissioners reserve the right at all times to conduct their review of an appeal based on the individual fact pattern of the complaint presented to them, in accordance with the laws, rules, and regulations concerning the matter at hand, and in the best interests of Carroll County.

  
Terry McCarthy  
Chairman

  
Matthew Plache  
Vice-Chairman

  
Kimberly Tessari  
Clerk

Adopted: March 16, 2023