## PROCEDURE AND TIMETABLE FOR REPORTING WRONGFUL CONDUCT AND EDR CLAIMS UNDER THE EQUAL EMPLOYMENT OPPORTUNITY/ EMPLOYEE DISPUTE RESOLUTION PLAN

I. Pursuant to Chapter IX of the Court's Equal Employment Opportunity/Employment Dispute Resolution Plan (hereinafter the Plan), an employee is encouraged to report wrongful conduct to his/her supervisor as soon as possible. However, a report of wrongful conduct is NOT the same as initiating or filing a claim under the Plan. Allegations of wrongful conduct are investigated and employees found to have engaged in wrongful conduct, as defined in the Plan, may be subject to disciplinary action. Retaliation against employees making a report of wrongful conduct is prohibited.

Procedures for reporting wrongful conduct are:

Employee reports wrongful conduct to supervisor or EDR Coordinator

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If said wrongful conduct report is submitted to supervisor, the supervisor shall file an incident report (EDR Form 1) with the EDR Coordinator within two business days

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EDR Coordinator shall promptly notify the chief judge, the unit executive and the human resources manager of any report

The Chief Judge and/or Unit Executive shall ensure that said allegations are appropriately investigated by either the human resource manager or other designated person.

Individuals involved in the investigation are required to protect the confidentiality of the allegations of wrongful conduct to the extent possible.

II. Pursuant to Chapter X of the Court's Equal Employment Opportunity/Employment Dispute Resolution Plan (hereinafter the Plan), an employee who claims a denial of rights granted in Chapters II through VIII of the Plan may seek resolution of such claim through the Dispute Resolution Procedures as set forth in Chapter X of the Plan. Such process begins with a Request for Counseling, followed by a period of Mediation. If the matter is not resolved through either counseling or mediation, then said employee may file a written complaint for consideration of the chief judge or designated presiding judicial officer.

## **COUNSELING**

Request for Counseling received

Counseling lasts 30 days (or less) from

receipt by EDR Coordinator of request

At conclusion of counseling, EDR Coordinator informs employee, in writing, of the conclusion of counseling (Employee has 15 days to request mediation)

## **MEDIATION**

Mediation must be initiated within 15 days after employee is informed of the end of counseling

Mediator is designated by EDR Coordinator

Mediation lasts for 30 days or less (Employee must attend at least one mediation session)

If the matter has not been resolved at the conclusion of the 30-day mediation period, EDR Coordinator notifies parties, in writing, that the mediation period has concluded

Employee has 15 days to file complaint

## **COMPLAINT**

Complaint must be filed within 15 days after mediation ends

Chief Judge or designee will review complaint and may either dismiss complaint (if frivolous) or move forward

A hearing on the merits shall be held unless the presiding judicial officer determines that no material factual dispute exists; said hearing must be no later than 60 days after Complaint was filed.

A verbatim record of the hearing must be kept.

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A written decision must be filed within 30 days of the conclusion of the hearing

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Said decision may be appealed to judicial council of the circuit