

# 32.01.02.C0.01 Complaint and Appeal Process for Non-Faculty Employees



Revised: September 11, 2023  
Next Scheduled Review: August 16, 2026  
[Revision History](#)

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## Procedure Summary

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This procedure outlines the complaint resolution process for non-faculty employees (including student employees) of Texas A&M University-Corpus Christi (TAMU-CC) regarding non-civil rights complaints, including appeals of employment action, discipline, or dismissal. Additionally, this procedure outlines the general provisions for addressing compliance and general complaints filed through the Campus Complaint Resolution Forum and System EthicsPoint.

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## Procedure

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1. COMPLAINT FILING DEADLINES AND AVENUES FOR ADDRESSING AND RESOLVING COMPLAINTS
  - 1.1. Many problems can be resolved through informal discussions between the employee and the immediate supervisor, department head, or the Employee Development & Compliance Services department (EDCS). Supervisors should maintain documentation of discussions and/or actions taken. Although an employee is encouraged to resolve a complaint informally, they may file a formal complaint without first seeking informal resolution. EDCS will work with all parties to the complaint to seek a satisfactory resolution.
  - 1.2. In accordance with the Texas A&M University System (TAMUS) policies and regulations, an employee files a complaint by completing a complaint form and delivering the form to EDCS within seven (7) business days of the action that caused the complaint. A complaint delivered to EDCS later than seven (7) business days after the action that caused the complaint may be deemed untimely and may be dismissed.

- 1.3. EDCS will retain the original complaint form and forward copies to the respondent(s), complainant's and respondent(s)'s supervisor(s) and department head(s), and the administrator designated to review the complaint within five (5) business days. The vice president over the division in which the respondent is located will either serve as the designated administrator or appoint a designated administrator as appropriate. If the complainant or respondent is the vice president for that division, the President will designate a different vice president or senior administrator to review the complaint.
- 1.4. In consultation with the Director of EDCS/Title IX Coordinator, the designated administrator will review the complaint to determine if an investigation is necessary.
  - 1.4.1. If no investigation is necessary (e.g., the facts are not in dispute or, if in dispute, do not rise to an actionable violation of policy, regulation, rule, or procedure), the designated administrator will issue a decision to EDCS.
  - 1.4.2. If an investigation is necessary, the designated administrator may either assign the complaint to EDCS for investigation or review the complaint directly with TAMUS Office of General Counsel and, if appropriate, the assistance of another internal office or external group (e.g., TAMUS member, TAMUS Ethics and Compliance Office, or off-campus firm) with the President's approval.
    - 1.4.2.1. In cases where EDCS investigates the complaint, the designated administrator will review the EDCS investigation report and conclusions and will issue a decision to EDCS regarding the conclusions.
    - 1.4.2.2. In cases where the designated administrator reviews the complaint directly (with TAMUS Office of General Counsel and the assistance of another office/group, if appropriate), the designated administrator will provide a written decision including copies of relevant documents and any physical evidence considered to EDCS within fifteen (15) business days of the designated administrator's receipt of the complaint. If additional time is needed for the investigation an extension up to an additional fifteen (15) business days is authorized. EDCS will notify the complainant, supervisor, and the department head of the approved extension.
- 1.5. When EDCS receives the designated administrator's decision, whether an

investigation was conducted or not, EDCS will provide the written decision to the complainant, respondent(s), and the complainant's and respondent(s)'s supervisor(s) and department head(s) within five (5) business days of receiving the decision. This will be the final decision regarding the complaint.

1.6. All employees must and students should cooperate fully with those performing an investigation pursuant to this procedure. Employees failing to cooperate with those performing an investigation may be disciplined, up to and including dismissal.

1.7. Any retaliatory action taken against an employee for participating in the processes established by this procedure, including filing a complaint, is prohibited. In accordance with system regulation 32.01.02, *Complaint and Appeal Process for Nonfaculty Employees*, the filing of a complaint, however, will not restrict supervisors from taking appropriate employment action.

## 2. CAMPUS ONLINE COMPLAINT RESOLUTION FORUM

In addition to the above complaint resolution avenues, the university also provides a campus online complaint forum. This provides both the campus and external community a forum if they are not sure how to proceed, have tried and failed to resolve an issue informally, or the complaint is more general in nature. Complaints received through the campus online complaint resolution forum will be forwarded to the appropriate academic unit (e.g., college, school, library)/division/department head(s) for resolution. The resolution results will be provided to EDCS for record keeping and service/issue trend analysis. EDCS will maintain the campus online complaint forum database consisting of complaints filed and corresponding resolutions in accordance with SACSCOC standard 12.4.

## 3. CAMPUS COMPLIANCE AND ETHICS COMPLAINTS

Complaints concerning university compliance and/or ethics issues that are not addressed in other university or system forums are assigned for investigation by TAMU-CC's Chief Compliance Officer. These investigations will follow section 1 of this procedure as appropriate.

## 4. TEXAS A&M UNIVERSITY SYSTEM ETHICSPPOINT COMPLAINTS

TAMUS maintains EthicsPoint, an anonymous online system for reporting waste, fraud, abuse, or other serious ethics violations. The TAMUS Ethics and Compliance Office will review each complaint to determine if the complaint will be delegated for investigation to a TAMU-CC department or whether TAMUS will conduct its own investigation. Complaints delegated to TAMU-CC for "management review and investigation" will be coordinated by the Executive Director of Administrative

Services for resolution after consultation with the Associate Vice President and Comptroller. Complaints are organized by the respondent into different categories: Human Resources, Information Technology, Finance and Accounting, Research, and Academic Affairs and are forwarded to a contact for each area for additional review of the issues raised. EthicsPoint complaints will be resolved within the general guidelines of section 1 of this procedure, and results will be reported to TAMUS.

## 5. COMPLAINTS NOT COVERED BY THIS PROCEDURE

- 5.1. Civil rights appeals must be filed in accordance with university rule *08.01.01.C1, Civil Rights Compliance*.
- 5.2. Student non-civil rights complaints against employees must be filed in accordance with university procedure *13.02.99.C0.01, Student Complaints Regarding Employees*.
- 5.3. Student complaints regarding other students are resolved through the Student Engagement & Success Student Conduct Office.
- 5.4. Non-civil rights complaints filed against university police officers are handled by the Chief of the University Police Department in accordance with sections 614.022 and 614.023 of the Texas Government Code. Any false complaints against a police officer are subject to prosecution.

## 6. TRAINING, EDUCATION, & INFORMATION

Information regarding this procedure will be provided to employees at new employee orientations and on the TAMU-CC website. Additionally, periodic training will be provided to supervisors in management and professional development programs.

## 7. MONITORING & COMPLIANCE REVIEW

EDCS will monitor the implementation of this procedure on a biannual basis and provide periodic reports to the campus on the number and nature of complaints, actions taken to resolve complaints, and systemic trends.

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## Related Statutes, Policies, or Requirements

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[Texas Government Code, Chapter 614](#)

[Texas Government Code, Chapter 617](#)

System Regulation [08.01.01, Civil Rights Compliance](#)

System Policy [10.02, Control of Fraud, Waste, and Abuse](#)  
System Regulation [32.01.01, Complaint and Appeal Procedures for Faculty Members](#)  
System Regulation [32.01.02, Complaint and Appeal Process for Nonfaculty Employees](#)  
System Policy [32.02, Discipline and Dismissal of Employees](#)  
University Rule [08.01.01.C1, Civil Rights Compliance](#)  
University Procedure [13.02.99.C0.01, Student Complaints Regarding Employees](#)

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## **Contact Office**

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Contact for clarification and interpretation: Employee Development & Compliance  
Services  
(361) 825-2765