

# Nondiscrimination Grievance Procedures

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The Potomac Valley Audubon Society (PVAS) does not exclude, deny benefits to, or otherwise discriminate against any service recipient, applicant, Program Staff, or the public on the basis of race, color, national origin, disability, age, sex, political affiliation, or religion. Further, PVAS acknowledges that it is unlawful to retaliate against any person who, or organization that, files a complaint about such discrimination.

If you believe you may have been discriminated against in violation of this policy, please immediately contact the individual designated below in the PVAS Grievance Procedures. Printed copies of the Grievance Procedures may also be obtained from the designated individual upon request or by downloading them from the PVAS Web site, <http://www.potomacaudubon.org>.

## 1. Complaints

### a. Members, Program Participants, Students, Volunteers, and Other Parties:

Complaints by the above involving claims of discrimination should be filed with:

Executive Director  
Potomac Valley Audubon Society  
PO Box 578  
Shepherdstown, WV 25443  
Email: pvasmail@aol.com

### b. Complaints by Employees:

All discrimination complaints by employees should be filed with:

Executive Director  
Potomac Valley Audubon Society  
PO Box 578  
Shepherdstown, WV 25443  
Email: pvasmail@aol.com

In the event that an incident or incidents of discrimination are alleged to involve actions of the Executive Director, complaints may be filed with the Executive Committee; such complaints will be reviewed by the president or his/her designee and referred for resolution as below. Send these complaints to:

Executive Committee  
Potomac Valley Audubon Society  
PO Box 578  
Shepherdstown, WV 25443

Complaints and their envelopes should be marked "Confidential".

**c. Discrimination Grievance Officers:**

The persons designated above to receive complaints under these procedures shall be referred to as discrimination grievance officers. If a designated grievance officer is the accused party, the complaint may be filed with any other grievance officer assigned by the Executive Committee.

## 2. Procedure

**a. Contents of Complaint:**

Complaints must be filed in writing with the discrimination grievance officer and must contain (1) the name and address of the person making the complaint ("Complainant"); (2) a brief description of the alleged discriminatory action or actions; (3) the date or dates of the alleged discriminatory actions; and (4) the person or persons alleged to have engaged in the discriminatory action or actions.

**b. Deadline for filing the Complaint:**

The complaint must be filed with the appropriate discrimination grievance officer within 30 days after the complainant becomes aware of the alleged discrimination. (Processing of allegations of discrimination that occurred before these grievance procedures were in place will be considered in accordance with these procedures).

**c. Response:**

The accused party will be provided a copy of the complaint and will provide the grievance officer a written response within five days after receiving a copy of the complaint. The grievance officer, in consultation with the Chairperson of the Executive Committee, may waive the requirement for a written response if the matter has been informally resolved (see below).

**d. Informal Resolution:**

The grievance officer will notify the appropriate staff manager or committee chair of the complaint and make a preliminary investigation of the particulars. The Executive Director or other assigned grievance officer shall determine whether the matter may be promptly resolved informally (for example, when the complaint arises from miscommunication between the parties, or when the accused party admits wrongdoing and agrees to take appropriate corrective action). Informal resolution will be attempted as soon as possible and need not wait for the written response of the accused party, unless deemed appropriate by the Executive Committee.

**e. Investigation:**

If it appears that the matter cannot be resolved informally, the grievance officer will proceed with an investigation. The investigation may be informal, but shall be impartial and as

thorough as appropriate under the circumstances. The complainant and the accused party shall be given an opportunity to submit evidence relevant to the filed complaint. The grievance officer may also interview persons who the officer believes may have knowledge bearing on the matter and may require the complainant or accused party to provide additional documentation, information or evidence that the officer deems appropriate. The particulars of the investigation of the grievance officer, whether discovered through formal or informal proceedings, will be documented and kept on file.

**f. Determination and Resolution:**

The grievance officer will prepare written findings as to the validity of the complaint and will recommend resolution of the complaint, if any ("Recommendation"). The Recommendation will then be given to the Executive Committee, who will make the final decision and communicate the decision to the complainant and the accused party ("Determination"). In the event the alleged discrimination involves a member of the Executive Committee the matter will be referred to the entire board which will assign an unbiased ad hoc committee of not fewer than five members to make the Determination.

**g. Appeal:**

Either party may appeal the Determination by filing a notice of appeal ("Notice") with the President of PVAS. The Notice must be filed within five days after receipt of the Determination, and must include a copy of the Determination and an explanation of the reason or reasons why it is being appealed. Copies of the Notice shall be provided by the appealing party to the Grievance Officer. The Grievance Officer will provide a copy of the Notice to the other party. The other party may file a rebuttal statement to the appeal within five days after receipt of the Notice. The President (or designee) shall review the matter and take any appropriate action, including, but not limited to referral to the entire board of directors for affirmation, modification or reversal of the determination, or requiring that additional investigation be performed. The President shall provide a written decision to both parties and the Grievance Officer.