ADM-200: Grievance – January 30, 2013

General

INCOSE expects its members to comply with all INCOSE policies and the INCOSE Code of Ethics. Since INCOSE operates in international arenas where value systems, beliefs and customs vary widely, INCOSE shall assist aggrieved members so that all may work together in a harmonious and courteous fashion.

Members of INCOSE have a right to express a grievance, to have a satisfactory hearing on their grievance, and to be assisted in working toward resolution of their grievance. Grievances may be submitted by an individual INCOSE member or a group of INCOSE members. Grievances shall not be submitted anonymously.

All discussion regarding a particular grievance shall be confidential and confined to those assisting in its investigation and resolution. A grievance should be resolved as quickly as possible and at the lowest organizational level as possible. Every effort shall be made to resolve matters amicably.

No INCOSE party shall be subject to reprisal, discrimination, or adverse treatment as a result of submitting a grievance or participating in a grievance resolution process.

Individual chapters should have their own grievance policies that are consistent with this Grievance Policy and their local laws.

Definition

The Clerk of the Court shall record all grievances and serve as an interface between the aggrieved, any INCOSE leaders involved in the resolution, the Grievance Committee and the Board of Directors. The Clerk is responsible for reporting to the Board of Directors that a grievance has been filed and that a grievance has been resolved. The Clerk shall not report any additional details regarding any grievance to the Board of Directors. The INCOSE Secretary shall serve ex officio as the Clerk of the Court. If the grievance involves the Secretary, then the Secretary shall recuse himself or herself, and the Board of Directors shall appoint another board member to serve as the Clerk of the Court for that particular grievance.

The defending party is the party that the grievance is submitted against.

A grievance is the submitted grievance form containing details regarding an issue that has been irresolvable between two parties, one of whom is an INCOSE member or group of INCOSE members. A grievance may concern acts of commission or omission by the defending party which the submitting party believes to be unjust and which has had a demonstrably adverse effect on them.
A grievance may involve some form of harassment, discrimination, fraud, plagiarism, bylaws or policy violation, or code of ethics violation.

The **INCOSE Grievance Procedure** shall contain the detailed process by which INCOSE handles all grievances. It shall specify the submission and handling of a grievance form and the types of disciplinary actions that may be imposed.

The *submitting party* is an INCOSE member or a group of INCOSE members who completes and submits a grievance.

### Filing a Grievance

Blank grievance forms shall be made available and once completed shall be submitted to the INCOSE Secretary. If the alleged grievance involves the INCOSE Secretary, or if the submitting party is not comfortable submitting to the Secretary, then the grievance may be submitted to any member of the Board of Directors.

The following information is required to be submitted with the grievance:

- Names of all individuals submitting the grievance.
- Names of all individuals in the defending party.
- Description of all alleged acts of commission or omission and their dates.
- Explanation of why the alleged acts were unjust and how the submitting party was demonstrably adversely affected.
- Any actions taken thus far to resolve the grievance.
- Section numbers of any bylaws, policies, code of ethics, or procedures that were allegedly violated and details on how they were allegedly violated.
- Specific remedy requested.

The Clerk of the Court shall notify the submitting party of receipt of the grievance within five (5) business days. Within 30 days of the submission, the Clerk shall provide the submitting party with status of the grievance and, if resolved, the details of its resolution. The Clerk shall continue to provide status every 30 days to the submitting party until the grievance is resolved.

### Grievance Resolution Process

Once a grievance is submitted, it shall be recorded by the Clerk of the Court. The Clerk of the Court shall determine if the grievance is to be accepted and, if accepted, shall then assign it to the appropriate INCOSE leader who is best able to seek resolution at its lowest level (e.g., Chapter President, Working Group Chair). The Clerk is responsible for monitoring resolution progress of the grievance. If it is not resolved within 90 days at the lowest level, the Clerk shall then assign the grievance to a representative at the next higher level (e.g., Sector Director, Technical Director). If the grievance is not resolved within 90 days at this next higher level, the Clerk shall then fully
reassign it to the Grievance Committee. The Grievance Committee shall investigate the grievance, conduct hearings and recommend disciplinary action, if any, to the Board of Directors.

**Grievance Committee**

The Grievance Committee shall be a standing committee appointed by the Board of Directors and shall operate in accordance with CMT-100. All voting members of the Grievance Committee serve one-year renewable terms that begin at the International Workshop. Membership in the committee shall be upon approval by a majority vote of the Board of Directors. Committee positions are defined as follows:

- A past President shall be a voting member and chair of the committee;
- A past Member Board Chair or co-chair or past Sector Director shall be a voting member;
- An at-large INCOSE member who is not a past President or past Member Board chair or past Sector Director shall be a voting member; and
- The Ways & Means Committee Chair shall be a non-voting member and advise on any violation of INCOSE policies and bylaws.

The Grievance Committee shall conduct investigations, hold hearings, make decisions and recommend disciplinary action to the Board of Directors in accordance with the INCOSE Grievance Procedure. The Board of Directors shall then make the final decision and implement any disciplinary action.

Any controversy or claim arising out of the Grievance Resolution Process - described both in this policy and the INCOSE Grievance Procedure - that cannot be resolved internally, shall be determined by arbitration administered by the American Arbitration Association in accordance with its International Arbitration Rules.


APPROVED BY: INCOSE Board of Directors, Jacksonville, Florida, USA, January 30, 2013

MAINTAINED BY: Secretary