

## Village of Nashville

### COMPLAINT POLICY

As revised 10-25-2012

Periodically a complaint is received against a village employee, violation of a Village Ordinance, or a situation that requires a formal investigation. It is the responsibility of the Village President to insure that all complaints are handled in a timely manner. This policy establishes and outlines the procedure for use upon the receipt of a complaint.

#### Complainant

1. A person can make an anonymous complaint alleging a violation of a Village Ordinance or situation that needs attention. The Council or Ordinance Enforcement Officer need not, however prosecute an alleged violation if it is determined that it cannot get cooperation from witnesses. If the person submitted a letter of complaint, the letter would be subject to disclosure under the FOIA after the investigation was completed.
2. Complaints against a village employee or official cannot remain anonymous. A complainant must sign the complaint form and provide details of the incident. If the person submitted a letter of complaint, the letter would be subject to disclosure under the FOIA after the investigation was completed.

#### General Complaint

A Village of Nashville Complaint Form available at the Village Hall & on the village website at [www.nashvillemi.us](http://www.nashvillemi.us) is filled out with the specifics of the complaint to be investigated. The form is then forwarded to the specific department head and a copy given to the Village President.

The department head will investigate the complaint, take corrective action, and notify the person who made the complaint as to the outcome.

The Village President will review the complaint and resolution before signing the form. All complaint forms will be filed in the Village Office.

#### Complaint against a Village Employee/Official

Upon receipt of a complaint against a village employee or official, the Village shall investigate and determine the course of action, if any to be taken.

If the complaint is regarding a non-department head employee the complaint will be turned over to the Department Head to investigate according to the following procedure:

1. Secure a written statement from the person making the complaint regarding the events. Once this is received, if the Department Head making the investigation feels it is necessary, contact the person to clarify any necessary details that are not contained in the written statement.
2. Contact the person who is the subject of the complaint to obtain further information. At that time the person should be advised of the allegations.
3. If disciplinary action is deemed necessary the Department Head will determine the course of action according to the employee rules, regulations & disciplinary policy.
4. Upon completion of the Department Head determination, the person making the complaint will be provided with a short summary of the action taken, if any.
5. The complaint documents will become part of the employees personnel file, and are subject to disclosure under FOIA, to the extent provided by state law.
6. The employee may have a statement of up to five pages attached to any disciplinary action in order to present further information.

If the complaint is regarding a Department Head / Official the Village Council Committee connected to the department in question or in the case of an official the Village President &/or Council will do the following:

1. Secure a written statement from the person making the complaint regarding the events. Once this is received, if the person(s) making the investigation feels it is necessary, contact the person to clarify any necessary details that are not contained in the written statement.
2. Contact the person who is the subject of the complaint to obtain further information. At that time the person should be advised of the allegations.
3. Information obtained as part of the investigation shall be made available to the relevant committee, or lacking a committee designated to review the complaint, directly to the Village Council.
  - a. If referred to a committee, the committee will make a recommendation to the Village Council regarding disciplinary action, if any. If disciplinary action is recommended by the committee, the employee / official may request in writing a hearing before the Village Council. At a hearing before the Council, the employee / official has the option to have the meeting open or closed, but the Council's final action would have to be taken in open session in accordance with state law.

b. If complaint is to be heard before the Village Council without a committee recommendation, the employee / official has the option to have the meeting open or closed, but the Council's final action would have to be taken in open session in accordance with state law.

c. An employee may request that a meeting by Council or Committee be closed (pursuant to Michigan Open Meetings Act Section 8a) by submitting a written request to the Council or Committee, prior to or at the time of the meeting.

4. Upon completion of the Council's determination, the person making the complaint will be provided with a short summary of the action taken, if any.
5. The complaint documents will become part of the employees personnel file, and are subject to disclosure under FOIA, to the extent provided by state law.
6. The employee may have a statement of up to five pages attached to any disciplinary action in order to present further information.