1. RULE STATEMENT

Texas A&M Forest Service (TFS) will provide equal opportunity to all employees, students, applicants for employment and the public.

2. REASON FOR RULE

This rule supplements The Texas A&M University System (A&M System) Regulation 08.01.01, Civil Rights Compliance, and designates the official contacts for the receipt, investigation, and resolution of discrimination, harassment, and/or related retaliation based on a protected class ("discrimination") complaints, appeals, and reports ("complaints") as required by A&M System Regulation 08.01.01.

3. PROCEDURES AND RESPONSIBILITIES

3.1 CIVIL RIGHTS COMPLAINT REPORTING

3.1.1 Many problems can be resolved through discussions between the reporter and the immediate supervisor or department head. The reporter or supervisor is encouraged to contact Texas A&M AgriLife (AgriLife) Human Resources for guidance. The supervisor or department head will promptly notify AgriLife Human Resources or the Title IX Coordinator if the complaint alleges discrimination.

3.1.2 The Chief Human Resources Officer for AgriLife is the contact person for oversight of the TFS civil rights protections program in accordance with A&M System Regulation 08.01.01, Civil Rights Compliance. The Chief Human Resources Officer or designee is responsible for the intake of complaints, appeals, or reports (complaints), and for ensuring the investigation process is followed in accordance with the A&M System regulation.

3.1.3 Upon receipt of a complaint, the Chief Human Resources Officer or designee will promptly notify, in writing, The Texas A&M System Ethics and Compliance Office (SECO) and The Texas A&M System Office of General Counsel (OGC) in accordance with A&M System Regulation 08.01.01.

3.1.4 The Chief Human Resources Officer is responsible for designating an Investigative Authority, who will investigate any complaint filed under this rule. The Director or designee will appoint a Designated Administrator, who will
render a written decision on the merits of each complaint. The Designated Administrator may not be the Respondent’s direct supervisor.

3.1.5 Except as provided otherwise, complaints of discrimination may be reported to the employee’s direct supervisor, another TFS official, or to AgriLife Human Resources. They may also be reported by filing a complaint with AgriLife Human Resources using form AG-424, Formal Complaint/Appeal. Reporters are not required to report the incident(s) to their direct supervisor or the alleged offender. Alternatively, allegations may be submitted using the Risk, Fraud & Misconduct Hotline.

3.1.6 Complaints of discrimination by the Director or any employee who reports directly to the Director must be made to the A&M System Ethics and Compliance Office (SECO).

3.1.7 If an employee observes or becomes aware of alleged discrimination, the employee is responsible for promptly reporting that information to that employee’s supervisor (unless the allegations relate to the supervisor) or to AgriLife Human Resources. If reported to the supervisor, the supervisor will promptly notify AgriLife Human Resources. Upon receipt of the reported allegations, AgriLife Human Resources will proceed with the appropriate notifications and processes in accordance with this rule and A&M System Regulation 08.01.01

3.2 INVESTIGATIONS

3.2.1 Upon receipt of a complaint, AgriLife Human Resources is responsible for coordinating all administrative activities required to conduct the investigation of the complaint in accordance with the procedures described in A&M System Regulation 08.01.01. These include, but are not limited to, assigning investigators, informing parties necessary to the investigation, contacting supervisors regarding their subordinate’s time away from work to participate in the investigative process, and making reports to TFS officials and other responsibilities necessary to properly conduct the investigation.

3.2.2 In accordance with A&M System Regulation 08.01.01, AgriLife Human Resources will provide a draft report on the investigation of the allegations to the OGC for review.

3.3 DECISIONS

3.3.1 A finalized investigation report will be submitted to the Designated Administrator. The Designated Administrator will render a written decision on the merits of the complaint in accordance with A&M System Regulation 08.01.01.

3.4 SANCTIONS

3.4.1 The Director may decide sanctions, if any, or may delegate the sanctioning decision to another authority within TFS.
3.5 APPEALS

3.5.1 Appeal of Decision and/or Sanctions - Allegations of Sex Discrimination

A. The complainant(s) and/or the respondent(s) subjected to the alleged sexual discrimination may appeal the TFS official’s decision and sanction, but only on the bases outlined in A&M System Regulation 08.01.01.

B. Appeals are filed by completing form AG-424, and delivering the form to AgriLife Human Resources within seven (7) business days of receipt of the decision or sanction. An appeal delivered to AgriLife Human Resources later than seven (7) business days after receipt of the decision or sanction will be deemed untimely filed and dismissed.

C. The Director or designee will decide the appeal. The appeal may not be decided by someone with previous involvement or participation in the investigation or decision.

3.5.2 Appeals - Allegations of Discrimination Not Based on Sex

A. Any employee disciplined pursuant to this rule may appeal that action in accordance with A&M System Policy 32.01, Employee Complaint and Appeal Procedures and A&M System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

A&M System Policy 08.01, Civil Rights Protections and Compliance

A&M System Regulation 08.01.01, Civil Rights Compliance

A&M System Policy 32.01, Employee Complaint and Appeal Procedures

A&M System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees

A&M System Policy 32.02, Discipline and Dismissal of Employees

A&M System Regulation 32.02.02, Discipline and Dismissal of Nonfaculty Employees

AgriLife Form AG-424, Formal Complaint/Appeal

DEFINITIONS

Definitions are contained in A&M System Regulation 08.01.01

CONTACT OFFICE

For questions, contact Texas A&M Agrilife Human Resources at 979-845-2423