

ENERGY CORPS POLICIES AND PROCEDURES

REASONABLE ACCOMMODATIONS

The National Center for Appropriate Technology is committed to providing reasonable accommodations in accordance with federal and state law to qualified members, staff, or applicants with any known disability that may interfere with an applicant's ability to compete in the selection process or an individual's ability to perform AmeriCorps service. Reasonable accommodations are available upon request to enable an individual with a disability to enjoy equal benefits and privileges of serving with the Energy Corps AmeriCorps program.

NON DISCRIMINATION

It is the policy of NCAT and the Energy Corps to recruit, promote, and retain members without regard to race, sex, creed, color, national origin, age, religion, veterans or marital status, disability, sexual orientation, or political affiliation. This policy applies to all terms, conditions, and privileges of membership and all policies of the Energy Corps, including hiring, training, placement and member development, compensation, benefits, educational assistance, suspension and recall, facilities, and termination.

Under the direction of the NCAT Executive Director, there shall be an Affirmative Action/Equal Employment Opportunity (AA/EEO) Officer. NCAT's Affirmative Action/Equal Employment Opportunity Officer is Jerrid Burk and our AA/EEO Manager is Marcia Brown. The AA/EEO Officer shall be responsible to ensure NCAT Energy Corps compliance with all applicable federal, state, and local equal opportunity and fair employment laws and regulations. The AA/EEO Officer shall take all steps necessary to maintain a non-discriminatory personnel system. In the absence of an AA/EEO Officer due to a reduced work force, or lack of available funds to support this position, the NCAT Executive Director shall designate a person to carry out these duties.

NCAT Energy Corps shall maintain a written affirmative action plan to achieve full utilization on all levels of the organization of minorities, the disabled, Vietnam-era or disabled veterans and women. This plan will include the establishment of membership goals for protected group members and timetables for achieving results. The AA/EEO Officer shall take all steps necessary to implement and maintain the plan.

Claims of discrimination should be reported to a supervisor or the AA/EEO Officer immediately. The individual will be provided with a copy of Energy Corps grievance procedures (*See Grievance Procedures section*). All claims of discrimination and investigations thereof shall be kept as confidential as circumstances allow. Energy Corps members witnessing acts of discrimination against a member or non-member are strongly encouraged to notify a supervisor

or the AA/EEO Officer immediately. Supervisors should notify the AA/EEO Officer of any complaint. Violations of the discrimination policy shall result in disciplinary action. Severity of the disciplinary action will be determined by the offense.

GRIEVANCE PROCEDURES

- A. This Grievance Procedure for Montana Energy Corps applies in the event that informal efforts to resolve disputes are unsuccessful. AmeriCorps members, host site partners, labor unions, and other public individuals may seek resolution through these Grievance Procedures. These procedures are intended to apply to service-related issues, such as assignments, evaluations, suspension, or release for cause. In addition, applicants who are not selected as AmeriCorps members or labor unions alleging displacement of employees or duplication of activities by AmeriCorps may utilize these procedures.
- B. The member understands that, as a participant of the program, he/she may file a grievance in accordance with the Program's grievance procedure.
- C. Informal Grievance. It is our policy to maintain an atmosphere of teamwork, openness and conciliation by first attempting to resolve problems through informal discussion between an employee and his/her supervisor. An employee shall bring an informal grievance to his immediate supervisor within five working days of the incident which gave rise to the grievance. The employee should be as specific as possible regarding his/her grievance and the action he/she believes the Energy Corps should take to resolve the complaint. The supervisor should respond to the employee within five working days of the informal discussion.
- D. Formal Grievance. If the immediate supervisor is unable to resolve the employee's problem through an informal discussion or fails to do so within five working days, the employee may, within 10 working days, submit his/her complaint in writing along with any supporting materials and a copy of any response received from the informal discussion to the Human Resource Specialist. Supporting materials may include, but are not limited to, all known facts relevance to the grievance, the names of any persons who have knowledge of the related facts, the remedy suggested by the employee, and a listing of the steps taken to resolve the grievance informally.

The Human Resource Specialist, within 10 days, must make a written determination regarding the grievance or convene a three-person investigative committee to hear the grievance and prepare a finding of fact for the Executive Director. That committee shall meet within ten days of its assignment and serves as a fact finding body. Testimony may be requested by persons with knowledge of facts relevant to the grievance. The committee shall determine whether there was compliance with all relevant laws, rules,

regulations and policies. The committee's report should be forwarded to the Executive Director for final determination. The Executive Director will make a final written determination on the grievance within 10 working days of receipt of the committee's report.

Remedies

Remedies for a grievance filed under a procedure established by a recipient of Corporation assistance may include:

- a. Prohibition of a placement of a participant;

- b. Reinstatement in good standing of a member wrongfully suspended or dismissed. If reinstatement of the member results in the member not being able to fully complete their hours within the term of service, arrangements may be made to allow the member reasonable opportunity to complete the hours;

- c. In grievance cases where there is a violation of non-duplication or non-displacement requirements and the employer of the displaced employee is the recipient of Corporation assistance:
 - i. Reinstatement of the employee to the position he or she held prior to the displacement;
 - ii. Payment of lost wages and benefits;
 - iii. Re-establishment of other relevant terms, conditions and privileges of employment;and
 - iv. Any other equitable relief that is necessary to correct any violation of the non-duplication or non-displacement requirements or to make the displaced employee whole.