



UNIVERSITY OF GJAKOVA

“FEHMI AGANI”

Str. Ismail Qemali, nn 50 000 Gjakovë, Republic of Kosova

Tel: 038 200 20 835

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**REGULATION
ON DISCIPLINARY PROCEDURES FOR ACADEMIC STAFF**

Gjakova, 2016

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Based on article 23 section 1.6 related to article 164 section 1 of Gjakova University Status, on a regular meeting held on 28.10.2016, the Steering Council approved this:

REGULATION ON DISCIPLINARY PROCEDURES FOR ACADEMIC STAFF

I. GENERAL PROVISIONS

Article 1

The provisions of this Regulation regulate:

Disciplinary procedure for the academic staff of the University, presentation - identification of disciplinary violation, types of disciplinary violations, appointment of disciplinary commission, support of the disciplinary commission, measures related to disciplinary violations and other issues. Determining the disciplinary responsibility of the teaching staff of this University and the grievance procedure, the right to appeal, the appointment of the grievance commission.

II. DISCIPLINARY PROCEDURES FOR UNIVERSITY STAFF

Article 2

1. Presentation and identification of violation of work duties.

Any suspected or alleged violation must be reported to the Rector of the University, the Dean of the Academic Unit or the organizational unit of the University (hereinafter: the Head of the relevant body).

Article 3

The head of the relevant body, immediately after receiving the oral or written report on suspected disciplinary violations, should investigate the case, interview the suspected offender and the person who reported the case, analyze the details of the violation and, according to his assessment, decide whether disciplinary violation is a violation of light or severe nature, In making the decision, the Head of the relevant body will rely on the provisions of this Regulation.

Article 4

2.D isiplinary violations

a) Slight disciplinary violations are considered:

Unreasonable absence from work, small careless mistakes or repeated mistakes that will not be a topic to form disciplinary proceedings. The head of the relevant body will collect and examine any evidence related to the case presented, will question the suspected offender, his statement, the person who has presented the suspected violation and anyone who may provide evidence in connection with it on occasion. The interview should be conducted as soon as possible, within three (3) working days after the presentation of the case in order to determine whether a minor violation has been committed or whether there is evidence that a serious violation has been committed. The suspected offender must be notified 24 hours in advance and may be accompanied by another employee of his choice, who may not respond on his behalf.

Article 5

If the Head of the relevant body finds that a minor violation has been committed and it is the first time, without presenting the case for consideration of the disciplinary framework, he may issue a warning to the offender - verbal warning, and for repeated violations a warning in writing is appropriate and that not more than 3 working days after the interview. The record of the oral and written warning shall be placed in the personal files of the person.

Article 6

Serious disciplinary violations are considered:

- Unreasonable objection to the performance of duties specified in the employment contract;
- Theft, fraud, forgery, damage or exploitation unauthorized use of University property;
- Violation of the rules of the Code of Ethics at the University of Gjakova;
- Unreasonable absence from work for more than 5 consecutive days without any reason and without notifying the absence;
- Repetitive errors, which with their frequency and weight disrupt the normal course of work;
- Direct or indirect discrimination or ill-treatment against the other person of the University, based on gender, race, color, language, religion, residence, political opinion, social origin, and other cases of protected by law;
- Sexual harassment of another person, defined as physical or verbal behavior of a sexual nature, which violates the dignity of the person at work and which is undesirable or offensive to the person;
- Directly or indirectly seeking or accepting illegal rewards from students or third parties;
- Bad behavior outside the workplace, which can damage the authority of University, and bring bad reputation to the University;
- Intentional damage to the property of the University;

- Disclosure of confidential data or information, a discovery which he / she is not authorized to do;
- Serious incapacity for work caused by alcohol or drugs;
- Failure to declare or give a false statement regarding the conflict of interest;
- Aggressive, threatening or insulting behavior in the workplace, and similar violations provided by law and other University acts.

Article 7

The head of the relevant body may decide to temporarily dismiss the employee, when:

- criminal proceedings have been initiated against the employee due to reasonable suspicion of a criminal offense;
- the employee is in detention;
- the employee commits a serious violation of the work duties defined by this regulation, especially when there is pro-violence against other people or risk to property, for the time being, until disciplinary investigations and disciplinary proceedings are underway.

During the temporary dismissal, according to paragraph 1 of this article, the suspected offender is entitled to compensation in the amount of 50% of the basic salary.

Article 8

b) Determination of serious disciplinary violation

If the Head of the relevant body finds that the violation can be considered as a serious violation, he will present the case to the Disciplinary Commission of the relevant body of the University, the academic unit or the organizational unit.

- The head of the relevant body will interview the assumed offender within 5 days of being referred to the Disciplinary Commission and the following matters will be clarified:
- the nature of the alleged violation,
- that the alleged violation is treated as serious and is referred to Disciplinary Commission,
- when and where the session of the Disciplinary Commission will be held,
- that he may be accompanied to the session by another employee.

3. Disciplinary Commission

Article 9

The relevant body will form a Disciplinary Commission, which will decide on cases related to serious alleged violations.

The Commission shall consist of three permanent members from among the members of the respective Body.

The mandate of the members of the Disciplinary Commission will last as long as the mandate of the body that has appointed this commission.

In cases of conflict of interest when the objectivity of the member of the commission will be questioned, he will be replaced by the relevant body for that particular case, such as:

- when the member of the Commission is in the position of the leader against the suspected offender or has a relationship with the suspected offender from the family, marriage or is close to him or is in personal social relations;
- when the member of the Commission has been injured by the suspected offender or has a relationship with the injured party from the family, marital status or is close to him or is in personal social relations.

Members of the Disciplinary Commission may not be members of the Greivance Commission.

Article 10

4. Support of Disciplinary Commission

The professional service of the University, academic units and other organizational units will offer to the Disciplinary Commission:

- providing advice and guidance to the members of the Commission;
- collection and provision of evidence;
- preparation of the schedule of sessions;
- notification of the persons required to be present at the date, time and place of the hearing;
- keeping the disciplinary record;
- submission and communication of the decision to the offender and other issues required for the conduct of the proceedings.

Article 11

Disciplinary hearings should be held as soon as possible, and in any case no later than 30 days, and the decision must be taken within 60 days from the day of notification of the case.

Disciplinary Commission:

- will hear evidence regarding the alleged violation;
- will determine, on the basis of evidence, whether the violation was committed;

- will propose disciplinary measures to be imposed. The purpose of the session is to verify the facts.

The decision of the relevant body must be communicated to the offender within 5 days from the date of the decision. Records and Decision of the relevant body must be placed in the person's file.

Article 12

5. Measures for serious disciplinary violations

After a detailed examination of the case, the disciplinary commission proposes to the relevant body that for violation of work duties, the employee be sentenced to one of the following measures:

- verbal remarks,
- written remarks,
- last written remark,
- stopping the increase of payment for up to one year,
- not raising the position until 3 years,
- reduction of position and
- termination of employment.

The disciplinary measures provided for in lines 1 and 2 of this article shall be imposed by the Leader, while the disciplinary measures referred to in paragraphs 3-7 of this article, upon the proposal of the Disciplinary Commission, shall be imposed by the relevant body.

III. COMPLIANT PROCEDURES

Article 13

The complaint procedure aims to protect academic staff from unfair decisions.

A teacher that is not satisfied with the decision on disciplinary measures that have been imposed on him, has the right to appeal. The appeal is addressed to the second instance body.

2. Appointment of Greivance Commission

Article 14

The relevant body will appoint a Greivance Commission as a second instance body.

The commission will consist of three permanent members from the ranks of members of the relevant body.

The mandate of the members of the Greivance Commission will last as long as the mandate of the body that has appointed this commission.

Members of the grievance committee may not be members of First instance disciplinary commission.

Article 15

In case of conflict of interest, the member of the Greiviance Commission withdraws and is replaced for that special session, if:

- is in the management relationship with the complainant or if they are close by family.
- is implicated in the incident (event) that is the subject of the complaint.

Article 16

The professional service of relevant body will provide the Complaints Commission with:

- advice and guidance, collection of documentary evidence and distribution of appropriate documents to all parties;
- preparation of the schedule of the review sessions;
- keeping the records of the sessions and placing them in the personal disciplinary file.

Article 17

The complainant must present new facts, arguments and evidence, briefly summarizing the reasons for the complaint.

The hearing on appeals must be held as soon as possible and in any case no later than 30 days from the day when the complaint is addressed to the Greiviance Commission.

The Greiviance Commission will:

- review the evidence,
- determine on the basis of evidence whether the complaint must be accepted,
- describe the disciplinary measures of improvement that should be implemented.

The commission may request the presence of witnesses to testify in the case.

The purpose of the Greivaince Commission is to take into account the evidence in the complaint, taking additional evidence in finding grounded facts.

Article 18

The hearing should be completed as soon as possible and the Commission should decide within 60 days from the day the case is submitted to the Commission.

The commission decides by a majority vote of the members.

Based on the proposal of the Commission, the relevant body takes a decision which is notified to the complainant within 5 days from the day of receipt.

The minutes of the Greiviance Commission must be placed in the complainant's file.

IV. FINAL PROVISIONS

Article 19

The Governing Council of the University of Gjakova takes care of the implementation of this Regulation.

Interpretation of this Regulation is provided by the Board of Directors.

In the part of the appendix of this Regulation are given different forms of disciplinary procedure, Guidance for the work of the Disciplinary Commission, different forms of the complaint procedure as well as instruction for the work of the Greiviance Commission.

Article 20

The Regulation shall enter into force immediately upon signature by the Chairman of Steering Council.

The amendment and supplementation of this Regulation may be made in accordance with the same approval procedure.

Chairman of the Steering Council
Prof. Dr. Luan Ahma

Appendix

OF REGULATION ON DISCIPLINARY PROCEDURES AND COMPLAINTS

1. DISCIPLINARY COMMISSION FORMS

1. Form for submission of disciplinary violation
2. Interview form
3. Form for registration of verbal warning
4. Form for written warning
5. Form for notifying the alleged offender of the disciplinary action
6. Form for notifying suspension of employee
7. Form for communication of the Commission's decision

2. INSTRUCTION ON HOLDING A DISCIPLINARY SESSION

1. Main points
2. Preparations for a session
3. How should the session of Disciplinary Commission be held?
4. Declaration of alleged violation
5. The answer to the alleged offender
6. General questions and discussions
7. Overview
8. Delay (suspension)
9. What kind of problems can arise and how to react
10. Instruction on making decisions about disciplinary measures
11. What should be considered before deciding on any disciplinary action
12. Disciplinary Commission decision .

3. FORMS OF GRIEVANCE COMMISSION

1. Form for complaint registration
2. Form for accepting or rejecting the complaint
3. Form for disciplinary commission decision per vendimin

4. INSTRUCTION ON HOLDING A SESSION FOR COMPLIANT REVIEW

2. Preparations for review session
3. How should the session on compliant commission review be held?
4. Statement of compliant submission
5. Answer to the complainant
6. General questions and discussions
7. Overview
8. Delay
9. What kind of problems can occur and how to deal with them
10. Guidance on solution decisions (improvement measures)
11. What should be considered before any solution decision
12. Grievance Commission decision

DIFFERENT FORMS OF DISIPLINARY COMMISSION

Form for presenting disciplinary violation

Form 1

University-Faculty

SUBMISSION OF AN ALLEGED DISIPLINARY ACTION

Details of alleged violator

Name and surname..... Post title

Department.. Manager

Details of the person that submits the alleged violation

Name and surname .

If he /she is employed by University:

Post Title Department .

If he/she is not employed by Universityi:

Address: ,

Phone no: ..

Details of alleged violation , submission manner (to be completed by manager)

Date

Chairman

Interview form

Form 2

University - Faculty

ALLEGED DISIPLIANRY VIOLATION: RECORD OF INVESTIGATION INTERVIEW

Name and surname of the interviewee

If he /she works at the University:

Post Title Department

Address: , , ' .

Phone no: .

Name and surname of interviewer

Post Title

Department

Interview record (to be completed by interviewer)

Date

Interviewer

Form 3

Form for registration of verbal warning

University - Faculty

RECORD OF VERBAL WARNING(REBUKE)

Name and surname:....., a verbal warning
was given on date: .
for:

1. The following behavior by him / her constitutes a disciplinary violation:
(a short discription of violation)

2. The following improvements are required:

3. Failure to improve will result in other disciplinary action

A verbal warning is given by:

Name and surname

Post title

Date

Chairman

Form 4

Form on written warning

University - Faculty

Name and surname Post title

Department

Date

Dear Mr./Mrs.

WRITTEN WARNING (REBUKE) ON DISIPLIANRY VIOLATION

This letter is to formaly warn you that your behaviour regarding:.....

.....
.....
..... Is an unexeptable disciplinary violation

The following improvments are required:

Failiure to improve or further disiplinary violations will result in more severe disiplinary measures. A copy of this notice will be placed in the person's personal file.

Date:

Chairman

Form 5

Form for notifying the alleged offender of the disciplinary action

University - Faculty

Name and surname ..
Position Title .
Department .
Date .
Dear Mr./Mrs. ..

NOTICE ON SERIOUS ALLEGED DISCIPLINARY VIOLATION

This letter is to let you know that it is assumed that you have committed the following serious disciplinary violation (briefly describe the alleged offense committed):

The statement was referred to the University-Faculty Disciplinary Commission, which will assess whether there is more compelling evidence to substantiate the statement and, if so, what should be applied to you.

You must appear before the Disciplinary Commission:

In _____ on date _____
at time _____

The purpose of the Disciplinary Commission is to ascertain the facts and you will be given ample opportunity to provide the commission with full explanations of your version of events and to present such evidence that you consider to be valid. Please submit any documentation at least 5 working days before the session, to give the commission time to read and ascertain it.

You may be accompanied at the session by another University employee of your choice, with whom you may be consulted during the session, but who may not respond on your behalf. The session will be conducted in any official language of Kosovo you wish.

The decision of the Disciplinary Commission will be given to you orally and in writing, within 5 working days after the session. You have the right to appeal against the decision of the relevant body.

Date

Chairman

Form 6

Form to notify employee suspension

University - Faculty

Name and surname

Position title

Department

Date

Dear Mr./Mrs.

NOTICE OF SUSPENSION WITH PAYMENT

Following statements of serious disciplinary violation against you, we inform you that you are suspended from work until disciplinary investigations and proceedings are underway.

The reason for the suspension is considered for the benefit of the University - Faculty that you should not continue your work until the investigation into the alleged violation has been completed.

You must not visit any University – Faculty premises during the period of your suspension. You must return to work by date, , , except if not notified otherwise.

A copy of this notice will be placed at the person's personal file.

Date

Chairman

Form 7

Form for communication of the Commission Decision

University - Faculty

Name and surname

Position title

Department

Date

Dear Mr./Mrs.

DISCIPLINARY COMMISSION DECISION

After your appearance before Disciplinary Commission on (date),
The Commission has carefully examined all the evidence presented and has decided
that:

(details of Commission decision)

If the Commission has decided that a serious disciplinary violation has been
committed; The Commission has decided that:

(details of the fine to be charged)

If you wish to appeal to the Greiviance Commission against the decision of
the disciplinary commission of the first instance, you must do this in writing
15 days from the day of receipt of this decision.

Date

Chairman

INSTRUCTIONS ON HOLDING A DISCIPLINARY SESSION

1. Main points:

- Commission must be carefully prepared for the session and ensure that all relevant facts are available (ready);
- To tell the alleged offender exactly what the alleged violation is, advise him / her on his / her rights according to the disciplinary procedures, including the right to be accompanied in each session;
- The staff should be given time to prepare and sufficient opportunity to declare their case;
- To conduct sufficient investigations and interrogations, to ensure that all the facts are objectively raised;
- Listen carefully to all that has been said;
- Consider postponing the session until later, before deciding on any disciplinary action so that you have the opportunity to fully consider all issues raised.

2. Preparing for the session

- * Make sure all relevant facts are available, such as personal details, disciplinary files and any current warnings, other relevant documents (eg notes on absence from work or medical leave) and, where necessary, written statements from witnesses.
- * Notify in writing the alleged violation for the complaint, for the procedure you want to be implemented and that he / she must participate in the disciplinary hearing.
- * Notify in writing the alleged offender that he / she has the right to be accompanied in session by another University employee.
- * Find out if there are any special circumstances to consider, e.g. is there any personal matters or external matters that have an impact on the assessment (performance) or behavior?
- * Be careful when dealing with evidence from an informant who wants to remain anonymous. Get written statements, ask for supporting evidence and verify that the informant's motives are sincere.
- * Consider how the standards of the alleged offender are compared to those of the other person - is it possible that the alleged offender is unjustly secluded?
- * Consider what clarifications can be provided by the alleged offender, and if possible check them in advance,
- * Give time to the alleged offender to prepare his case. It can be useful and saves time in the session, if copies of any document and witness statements have been made available in advance.
- * Set the date and time for the session in a suitable room where you will not have interruptions. Give the alleged offenders an advantage of at least 5 working days before session and allow him to propose a reasonable alternative date, if his / her attendant cannot attend on the due date.
- * See what disciplinary action has been taken in relation to other offenders in the same past conditions,

- * If the witness is outside the University and is not prepared or is incapable of conveying the hearing try to obtain a written statement from him / her.
- * Think about the structure of the session and make a list of points to be covered.

3. How should the session of the Disciplinary Commission be conducted?

The Chairman of the Disciplinary Commission should:

- introduce to the alleged offender the members of the Commission and the staff of the administration,
- invite the alleged offender to introduce the person accompanying him and clarify the role of the accompanying person,
- to clarify that the purpose of the session is to consider whether disciplinary action should be taken in accordance with the disciplinary procedure, and that the purpose of the session is to reveal the truth, and to
- Explain how the session will be conducted.

4. Statement of the alleged offender

The Chairman must:

- states (ascertains) exactly what the alleged complaint is and clarifies the case briefly by going through the evidence that has been collected. Ensure that the alleged offender and his / her representative are allowed to see any statements made by witnesses and,
- to understand whether the person is ready to accept that he / she has done something unfair, Then to accept the step that they need to take to fix the situation.

5. The answer of the alleged offender

The members of the commission should:

- give the person the opportunity to describe, tell his / her case and respond to any statement made, he / she should ask questions, present evidence and invite witnesses. The accompanying person may also ask questions and should be able to consult privately with the person, but may not be able to answer questions on his / her behalf. Listen carefully to what the alleged offender has to say and be prepared to calmly respond, as this can be helpful, encouraging him to be more willing to cooperate;
- if it is not practical for witnesses to participate, consider retention of the session even without witnesses, if it is clear that their testimony will not harm the content of the complaint.

6. General questions and discussions

The commission should:

- to use this period, to verify all the facts and if there are any special circumstances to be taken into account;
 - adjourn the session if further investigations are needed, if appropriate, at the request of the alleged offender or his / her representative.
 - ask official and humane questions, but encourage the employee to speak freely in order to find the facts. The disciplinary hearing should be a two-way process, using questions to clarify issues and verify what has been said. Ask precise closed questions in the required answers yes / no only when specific information is required.
 - not to be involved in quarrels and should not make personal or humiliating remarks. The members of the commission should avoid physical contact and gestures which may be misinterpreted or misunderstood.
- If it becomes clear during this period that the person has provided adequate clarification or there is no real evidence to support the statement, stop the process.

7. Overview

The Chairman must:

- summarize the main points of discussion after the interrogation is completed. This allows all parties to be reminded of the nature of the violation, the arguments or evidence presented and to ensure that nothing is missing, forgotten and to ask the alleged offender if he / she feels that they have had an honest hearing and whether they have anything else to say. This should help demonstrate to the offender that he or she has been reasonably treated.

8. Postponement – suspension

In general, it is good practice for the Commission to suspend before a decision is made on whether appropriate disciplinary action is appropriate. This gives time for appropriate reflection and consideration. It also allows time for other verifications of any issues raised, especially if there is any discrepancy - disagreement of the facts. If new facts emerge, consider whether it is better to call the session again.

9. What problems can arise and how to react

The chairman is responsible for ensuring that the session is conducted properly. It is possible that the subject will not go smoothly, people may become anxious or even angry. If the alleged offender becomes angry or upset, the chairman should give him /

her time to regain his or her composure before proceeding. If the concern is too great, the session should not be continued, it should be postponed.

A language of understanding can be used, while vocabulary or behavior that can be interpreted as very bad behavior should not be allowed to pass without comment. If necessary, such behavior can be considered a disciplinary violation. In these circumstances, the presiding judge must adjourn the hearing and schedule a later hearing, when both cases may, if necessary, be considered together. The Commission may also recommend that the alleged offender be suspended with payment to allow him / her to calm down and allow a full investigation.

10. Guidelines for decision-making on disciplinary measure

Key points:

* The decisions of the Commission at the end of the disciplinary hearing are:

- a) to apply disciplinary measures,
- b) what form it should take and
- c) whether any other action is taken or not (eg training or change of job position).

* Before deciding whether the disciplinary measure is appropriate and at what level, the Commission should consider the general and disciplinary file of the offender, if disciplinary proceedings show possible penalties, what action has been taken in previous cases, under any special circumstances. to consider whether and what is the reasonable punishment,

* Dismissal without notice for serious violations, without notice or payment with the notification case should only be for very serious cases of violations and it should only take place after disciplinary investigation and hearing.

* The offender must not be left in any doubt as to his nature disciplinary punishment, expected improvement, needs to support improving and method and timing of complaints.

* The Commission should actively consider what improvement steps should be taken , including counseling, training and development.

* Violators must be provided with written details of any disciplinary action applied against him / her.

* Files of disciplinary measures must be kept safe and confidential.

* Mild disciplinary measures should not be applied against offenders for the time being indefinitely, if he / she improve.

11. What must be considered before deciding on any disciplinary punishment

When deciding whether adequate disciplinary action is appropriate and what form it should take, the Commission should consider:

- if the disciplinary procedure itself shows what the possible punishment will be as a result of the particular bad behavior,
- the punishment applied in the same cases in the past,
- any special circumstances (mitigating), which may make adequate reduction of severity of punishment,
- employee's disciplinary file, general work file, work experience, position and duration of service and
- if the proposed punishment is reasonable taking into account all the circumstances.

Disciplinary measures must be considered fair and impartial (equal for all) and consistently applied. This does not mean that the same measure will always be applied to the same violations, each case must be looked at on its own merits and each relevant circumstance must be taken into account. This may include health or home problems, provoking, ignoring rules or standards, or irregular treatment.(unacceptable, unstable) in the past.

12. Disciplinary Commission Decision

In all cases, the Commission must give a written decision, which summarizes briefly, but clearly, the case and in particular includes what the statements were, what evidence was gathered, brought before the Commission; the facts established on the basis of evidence, the conclusions of the Commission based on these facts and the decision of the Commission.

DIFFERENT FORMS OF GREIVIANCE COMMISSION

Form for complaint registering

Form 1

University - Faculty

PRESENTATION OF COMPLAINT

Name and surname of the complainant.

Department ,..... Position title

If the complainant is an applicant for employment at the University:

Residence address:

Phone no:

Short details of complaint:

Copies of any document that will support the complaint or a copy of the disciplinary case order (in case of appeal against disciplinary decisions) must be attached.

Date

Complainant's signature

CERTIFICATE ON COMPLAINT ADMISSION

For:

(Name and surname of complainant)

Your complaint of date is recieved by staff. We will contact you within 30 days to inform you whether the complaint will be heard or not and if so, to provide further information.

Date

Chairman

Form 2

Form for accepting or rejecting a complaint

University - Faculty

Mr./Mrs

Name and surname of complainant

(Complainant's address)

(date)

Dear Mr/Mrs

Complaint against

[Complaint title]

If there are more plausible primary grounds for appeal or if there is an appeal against the disciplinary decision:

Your complaint of date _____ will be heard by the Greiviance Commission of Senate of the University of Gjakova on _____ in _____

You have the right to be accompanied at the hearing by a friend or counselor, according to your choice, who may be able to ask questions but will not be allowed to answer questions on your behalf

If the grounds for appeal are invalid, unreasonable or insufficient:

Your complaint dated:..... was rejected because: (briefly explain the reasons why the complaint was not accepted)

According to the Law on Contested Procedure of Kosovo, you have the right to appeal against this decision to the Basic Court in Gjakova,

Date

Chairman

Form 3
Form on Greivance Commission decision

University - Faculty .

Mr/Mrs

Name and surname of Complainant

(Complainant's address)

.....

(date)

Complaint against

(Title of complaint)

(If complaint has been accepted)

The Greivance Commission accepted the complaint and decided that:
(briefly describe the correction described by the Greiviance Commission)

(If the complaint has been refused):

The Greivance Commission rejected the complaint,
(briefly describe the grounds given by the Greivinace Commission)

You have the right to appeal against the decision of the Greiviance Commission
To Basic Court in Gjakova,

Date

Chairman

INSTRUCTION ON HOLDING A SESSION FOR COMPLAINT REVIEW

1. Main points:

- * Carefully prepare for the review session and make sure that all facts are available.
- * Explain to complainant what the procedure is and which are his/her rights according to complaint procedure, including the right to be accompanied in any disciplinary session.
- * Give complainant enough time to prepare to explain his/her case.
- * Listen carefully to what is being said.

2. Preparation for the review session

- Make sure all relevant facts are available and when necessary written statements from witnesses.
- Explain to the complainant the procedure to be followed and that he / she has the right to be accompanied to the hearing by a friend / advisor.
Find out if special circumstances need to be considered, such as personal or other external issues.
- Be careful when dealing with evidence from an informant who wishes to remain anonymous. Take written statements, ask for supporting evidence, and make sure the informant's motives are sincere.
- Give the complainant time to prepare his / her case. It could be useful and save time during the hearing if copies of any relevant documents and statements of witnesses are available to him / her, at least five working days before the hearing.
- Arrange a date and time for listening sessions in a suitable room where there will be no obstacles. The complainant must be notified of the hearing at least five working days in advance and may be allowed to provide a reasonable alternative date if his / her chosen companion cannot attend the session on the due date.
- Find out what disciplinary measures have been taken against other offenders in similar circumstances in the past,
- If the witness is someone outside the University who is not prepared or cannot attend the hearing, try to get a written statement from him / her.
- Think about the structure of the review session and make a list of points to be covered.

3. How should the review session of the Grievance Commission be conducted

Commission chairman must:

- present to the complainant the members of the Commission and the staff of the administration,
- to invite the complainant to introduce the person who accompanies him and to explain the role of the accompanying person,
- explain that the purpose of the review session is to reveal the truth,
- explain how the review session will be held

4. Complainant's statement

Chairman must:

- ask the complainant to show his case clearly and precisely and to ensure that he / she is able to present the evidence without interruption and
- invite the complainant to present his / her testimony, including witnesses

5. Answers to the complainant

Chairman must:

- request a response to the statement of the complainant by the individuals appointed by the complainant and by the others involved in the case, to give the complainant a chance to ask them questions. The accompanying person may ask questions and will be able to discuss privately with the complainant, but may not answer questions on behalf of the complainant.

6. General questions and discussions

Commission must:

- to examine this phase to verify the facts and whether or not there are special circumstances to consider,
- to postpone the review session for later if further research is needed, or at the request of the complainant, his / her representative
- ask questions formally and politely, but encourage the complainant and other participants to speak freely in order to disclose the facts. A well-run review session should be a two-way process. Ask questions to clarify issues, to check what has been said and understood. Ask open-ended questions, for example, what happened next?, tell me something more about ... to get the full picture. Ask precise, closed-ended questions that require yes / no answers only when specific information is needed or to clarify understanding.
- not to enter into discussions and not to make personal or humiliating remarks. Commission members should avoid physical contact or gestures which can be misinterpreted or misunderstood.

7. Review

Chairman must:

- summarize the main points of discussion after the interrogation has ended. This enables all parties to understand the main points of the complaint, the evidence and arguments presented and to ensure that no omissions have been made and
- ask the complainant if he or she feels he or she has had a fair hearing and if they have anything to add. This should help the complainant to demonstrate that he or she has been treated appropriately.

8. Posponment for later

If the commission agrees that the appeal has been upheld, it is usually a good practice to adjourn the hearing before making any decision on which remedial measure is more appropriate. This allows time for reflection and consideration. This gives you time to check any issues that have been raised, especially if there are any discrepancies between the facts. If new facts are presented, the Commission should consider whether to reconsider the hearing.

9. What kind of problems can arise and how to deal with them

The chairperson has the responsibility to monitor the progress and ensure that all parties are given the opportunity to present their case in its entirety. However, it is possible that the hearing may not be ongoing, people may be concerned or even angry. If the complainant is upset or angry, the chairperson will have to give him / her time to recover before continuing. If the concern is too great to continue, then the hearing should be adjourned and called again another time.

Improper language and behavior can be expected, but abusive language or behavior that could be interpreted as misconduct must not go unnoticed. If necessary, such conduct should be considered a disciplinary violation..

10. Guidelines for selecting decisions (improvement measures)

Main points:

- Decisions requested by the Commission at the end of the hearing complaints are:
 - a) should any solution be made - improvement
 - b) if so, in what form it should be done;
 - c) whether any other action should be taken (eg disciplinary action against staff or leaders, or their transfer to another position),

- When deciding which solution would be most appropriate, the Commission should consider what actions have been taken in previous cases.
- When deciding on a solution, the Commission must carefully consider the impact it may have on the complainant's future career and on his or her work reports within the University.

11. What should be considered before deciding on any solution

When deciding whether the solution is appropriate and in what form it should be made, the Commission should consider:

- whether the complaint procedure itself shows what solution should be made, for example, successful appeals against selective, promotional, or disciplinary Commission decisions will usually result in the annulment of such decisions.
 - if the solution, although appropriate and fair, could cause other management problems,
 - what solution has been imposed in similar cases in the past and
 - any special circumstances, which could make it possible to select an alternative solution. For example, where re-assignment to the same post would mean that the complainant would have to work together with the person he/she harassed, mistreated .
- Solutions must be equal and consistently applicable. This means that the same solution will be applied each time for similar contradictions: in each case the merits must be seen and any relevant circumstances must be taken into account

12. Greivance Commission's Decision

In all cases, the Greivance Commission must give a written decision, which summarizes briefly, but clearly the case, especially in terms of what the statements were, what evidence was collected; bring before the Commission the facts established on the basis of evidence; the conclusions of the Commission based on these facts and the decision of the Commission.

