

## 203 – DISPUTE RESOLUTION

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### **Section 203.01 Dispute Resolution Philosophy**

Despite a commitment to maintain a respectful and professional workplace, Fort Bend County recognizes that in the course of employment relationships, there may be disagreements or conflicts between co-workers or between employees and management. Disputes between employees shall not disrupt a positive work environment nor hinder productivity. However, this policy establishes a method for employees to resolve work place disputes and discuss management actions and decisions.

The dispute resolution process discussed below in Sections 203.03 and 203.04 should be used to address work-related disputes that may include but are not limited to:

1. Conduct which disrupts a harmonious work environment such as gossip, exclusion, coercion, reprisal, or intimidation.
2. Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacation, promotions, retirement, holidays, or performance review.
3. Unfair or inappropriate application of a disciplinary action.

Section 203.05 shall be used to guide employees who have a complaint of discrimination or harassment based on a protected status, including sexual harassment.

This policy in no way limits any employee's rights under state or federal law with regard to employment actions, nor does it alter the employment-at-will status of all employees.

### **Section 203.02 Offices of Elected Officials**

An elected official may implement procedures for handling disputes and complaints within his or her office other than those specified below. Human Resources is available to consult with and assist both elected officials and the employees of their offices, if requested.

### **Section 203.03 Dispute Resolution Between Co-Workers**

In general, disputes should be settled as expeditiously as possible and involve only those persons directly involved or impacted by the dispute. Employees are advised to proceed as detailed below; however, we recognize that in some situations it may be necessary to skip a step in the process if the employee does not feel they can discuss the situation with someone in their chain of command or organization.

Dispute Resolution Process:

1. An attempt should be made to resolve a dispute with a co-worker by discussing the situation directly with the other involved party
2. If no resolution is reached in step one, complaints should be brought to the attention of an employee's immediate supervisor. If the dispute involves the supervisor, the employee may bring the complaint to the next level of management. The notified supervisor or manager should attempt to investigate and resolve the dispute or bring it to the attention of the appropriate person with the ability to resolve the dispute.
3. If an employee is not satisfied with the resolution offered by the

supervisor, they may then bring their complaint to the next level of management.

4. If the dispute cannot be resolved within the employee's department or chain of command, the employee may bring the complaint to the Human Resources department. Human Resources will attempt to facilitate a resolution to the issue by working with the involved parties.

There is no defined time period for any step in the dispute resolution process. However, all steps should be taken in a timely manner, usually within one week, if there are no extenuating circumstances.

**Section 203.04  
Dispute Resolution  
Between Employees  
and Supervisors or  
Managers**

Each County department or office has the discretion to define their own operating policies and procedures and disciplinary actions within the constraints of Fort Bend County policy and applicable laws. These policies should be clearly communicated to employees, and employees are responsible to ensure they are in compliance with policies and procedures.

If an employee feels that he or she has been unfairly treated in matters of discipline, work assignment, performance appraisal, termination, or other condition of employment, they are encouraged to discuss their concerns directly with their supervisor or manager. If an employee still has concerns after discussing the situation with the supervisor, they may discuss their concern with the chain of command in their organization or with Human Resources if the dispute is not resolved internally.

In general, Human Resources is the last level of appeal for an employee's complaint. However, an employee may report their complaint to the office of the County Judge or any County Commissioner who may recommend further action.

**Section 203.05  
Complaints of  
Discrimination or  
Harassment**

If workplace discriminatory or harassing conduct does occur, it is the responsibility of all Fort Bend County employees to promptly report the conduct. This responsibility applies whether the employee is the target of the conduct or witnesses the conduct, even if reporting the conduct is contrary to the wishes of any other employee. Complaints of discrimination or harassment, including sexual harassment, should be reported in one or more of the following manners:

1. Preferably, a complaint should first be brought to the complainant's supervisor, unless the complainant is not comfortable discussing the information with his or her supervisor
2. Alternatively, the complaint can be made to another supervisor or manager within the chain of command, up to and including the department head or elected official of the department in which the complainant works
3. Complaints can always be brought to Human Resources by contacting the Senior Human Resources Generalist for Employee Relations by phone, email, or office visit; or by calling the HR information line at 281-341-8617 or emailing

[HumanResources@fortbendcountytexas.gov](mailto:HumanResources@fortbendcountytexas.gov)

4. A complaint may be brought to the office of the County Judge or any County Commissioner.

Complaints may be written or verbal. Anonymous complaints will be accepted provided they contain sufficient information to form a basis for action. Any complaint made to the persons indicated above will be handled promptly by either investigating the complaint, resolving the complaint, or referring the complaint on to a person who is better able to address the situation. If for some reason a complaint is not handled promptly, the complainant should follow up with the person who received the complaint, or take the complaint to another level of management or Human Resources.

**Section 203.06  
Harassment and  
Discrimination  
Complaint Resolution  
Procedure**

Complaints will be handled in the most expeditious and appropriate manner. Some complaints can be handled at the supervisor level, or within the department or office chain of command. Most complaints of discrimination or harassment will be referred to Human Resources for investigation and assistance with addressing the offending behavior. If a complaint is brought to Human Resources and an investigation is warranted, the following general process will be followed:

1. Human Resources will typically conduct the investigation by interviewing involved parties, and examining documents and other evidence. The County Attorney's Office will be consulted as necessary.
2. The parties to the complaint may be separated to protect both parties and the integrity of the investigation.
3. Confidentiality will be maintained as much as possible, but absolute confidentiality cannot be promised. For example, information will only be shared on a need to know basis, but it is possible for individuals to draw conclusions on identity of complainants or witnesses based on context.
4. To the greatest extent possible, retaliation against complainants and witnesses will not be tolerated. See Section 204 of this manual, Retaliation Prohibition and Whistleblower Act, for more information.
5. Upon conclusion of the investigation, Human Resources will discuss the outcome and a possible course of action with appropriate officials. If discrimination, harassment, or retaliation did occur, or is likely to have occurred, appropriate, proportional, corrective action will be taken, up to and including termination of employment and legal action if needed.
6. Whenever possible, steps will be taken to remediate the harm, if any, that was suffered by the victim of harassment or discrimination.

If a complainant is not satisfied with the resolution or handling of their complaint at any level or if the behavior leading to the complaint continues, the complaint may be brought to the next level. If a complainant is not satisfied with the actions of Human Resources, he or she may bring the complaint to the attention of the County Judge or any County Commissioner to determine if further action is recommended. Notwithstanding any outside legal remedy an

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individual may be entitled to, the last level of review within the County is Commissioners Court

Policy Approved and Adopted By:  
Fort Bend County Commissioners Court  
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Effective September 25, 2018, this policy includes content formerly contained in Section 601: Dispute Resolution. The former content of Section 203: Sexual Harassment, has been incorporated into Section 202: Respectful Workplace: Discrimination, Harassment, and Sexual Harassment Prevention.