

Handbook for the City of Hermantown		
X Policy – Resolution 2004-76		<input type="checkbox"/> Procedure
Date Adopted May 17, 2004	Title: Employee/Representative Complaint Policy & Form	Section: Personnel Management
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**CITY OF HERMANTOWN
EMPLOYEE / REPRESENTATIVE COMPLAINT POLICY**

Policy

Any person who believes that an employee or representative of the City of Hermantown (herein “City”) has acted improperly may bring a complaint to the City’s attention pursuant to the following procedure.

Definitions

For the purpose of this policy, the terms set forth below are defined as follows:

Employee means any person employed full-time or part-time by the City, but does not include police officers, who are covered by the Citizen Complaint Policy and Procedures Regarding Officer Misconduct and Rules of Conduct for the Hermantown Police Department, Resolution No. 93-81.

Representative means a City Councilor, a member of any City Board, Committee, Commission, Task Force, any contractor including any person providing professional services to the City or any volunteer providing services to the City.

Complainant means a person who files a written complaint alleging an improper act by an employee or representative of the City.

Complaint means a statement that is made in writing, on the forms provided by the City, which alleges an employee or representative has acted improperly.

Investigator shall mean the person or entity who/that investigates the complaint.

Procedure for Initiating Complaint

Anyone who has personal knowledge of facts and wishes to file a complaint must do so in writing on the Complaint Form provided by the City, which must include the signed Data Practices Advisory. A complaint must be filed within fifteen (15) days from the date of the alleged improper act or within fifteen (15) days from the date when the complainant becomes aware of the alleged improper act.

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All complaints must be personally signed and notarized. All complaints shall be given to the City Administrator; however, if the complaint is regarding the City Administrator, it shall be given to the City Attorney.

The City Administrator, or the City Attorney in the case of a complaint regarding the City Administrator, shall investigate the complaint or shall forward the complaint to an independent person or entity for investigation.

Investigation of the Complaint

The Investigator shall investigate the allegations and make a determination as to whether the conduct alleged merits further action by the City.

Disposition

The City Administrator, or the City Attorney in the case of a complaint regarding the City Administrator, shall determine the appropriate disposition.

Maintenance and Disclosure of Data

Maintenance and disclosure of data collected, created or received by the City in connection with this policy shall be in accord with Federal Data Privacy Laws, the Minnesota Government Data Practices Act, and any other applicable law.

**CITY OF HERMANTOWN
EMPLOYEE / REPRESENTATIVE COMPLAINT FORM**

Date of Complaint: _____

Complainant Name: _____

Address: _____

Phone: _____

Date of Alleged Acts: _____

Employee/Representative's Name: _____

Department: _____

Summary of Allegations: _____

Name and Address of Witnesses: _____

Signature of Complainant

STATE OF MINNESOTA)
)
COUNTY OF ST. LOUIS)

On this _____ day of _____ 20____, before me, a Notary Public,
within and for said County, personally appeared _____
to me known to be the person described as Complainant.

Notary Public

DATA PRACTICES ADVISORY
(Tennessee Warning)

The information that you are asked to provide in your complaint is classified by state law as either public, private or confidential. Public data is information that can be given to the public. Private data is information that generally cannot be given to the public but can be given to the subject of the data. Confidential data is information that generally cannot be given to either the public or the subject of the data.

Our purpose and intended use of this information is to consider your complaint.

You are not legally required to provide this information.

You may refuse to provide this information.

The consequences of refusing to supply data are that your complaint will not be considered.

Other person or entities may be authorized by law to receive this information.

The undersigned has read this advisory and understands it.

Dated this _____ day of _____, 20____.

Print Name

Signature