



GRIEVANCE PROCEDURE AND

RIGHTS of Persons who enter MSJC Property Appropriately and/or attend an MSJC-sponsored event

GRIEVANCE POLICY AND PROCEDURE

Policy

CONGREGATION MT. SINAI ANSHE EMETH AND EMES WOZEDEK OF WASHINGTON HEIGHTS, INC. ("MSJC") strives to meet our moral and legal obligations to our members and community, and adhere to Jewish Law and ethics, and the laws and regulations of the United States, New York State and New York City. It is the intention of MSJC to foster a harmonious and healthy environment for all who enter MSJC property and/or attend MSJC-sponsored events. We encourage all to voice their concerns and their complaints. To that end, we implement this written policy and procedure that outlines how to lodge a complaint of discrimination, harassment, retaliation or other objectionable conduct, and how MSJC will respond.

Procedure For Formal Complaint

The MSJC Ombudsperson is nominated annually by the nominating committee and approved by the membership. The role of the Ombudsperson is to (1) receive complaints and accusations of abuse, harassment, or other violations of MSJC policies; (2) investigate or order an appropriate investigation; (3) make initial attempts to resolve the grievance; and (4) report any and all relevant findings to the Board of Trustees of MSJC, in the manner outlined below.

The three-person Grievance Resolution Committee, nominated annually by the nominating committee and approved by the membership, helps to resolve grievances when the ombudsperson is unable to do so on his/her own.

The ombudsperson and the committee are member volunteers who will be duly trained to carry out their responsibilities appropriately. The Ombudsperson and the Grievance Committee members cannot be serving concurrently on the MSJC Board of Trustees.

The Board of Trustees has ultimate authority for the governance of MSJC, including oversight of MSJC's compliance with applicable law and overseeing the activities of the Ombudsperson and Grievance Resolution Committee as well as the general operation of the Grievance Procedure. The Board receives reports on the operation of the Grievance Procedure directly from the Ombudsperson and Grievance Resolution



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Committee. The Ombudsperson has the right to bring matters directly to the Board's attention at any time.

If you have a complaint you consider less serious in nature, you may choose to bypass these procedures. You may simply contact the Executive Director, use suggestion boxes located throughout the building, or email suggestions@mtsinaishul.com. However, such attempts at direct resolution will not be subject to the procedures in this policy. Should your initial attempts at direct resolution prove unsuccessful or unsatisfactory, you may then choose to file a formal complaint as per the procedures outlined below.

In the event of a situation that represents an immediate threat to health and safety, please contact appropriate emergency personnel (e.g. 911) as well as a shul officer in addition to filing a formal complaint if you so choose.

Procedure for Filing a Grievance

1. A grievance may be brought forth by any person against an MSJC staff member or any person regarding a matter that took place on MSJC property or at an MSJC-sponsored event, or against MSJC. This includes, but is not limited to, verbal and physical abuse or threats of the same, financial disputes, or a lack of respect on part of the staff.
2. All are encouraged to state their grievance in writing.
3. Note: Crime victims are encouraged to seek redress pursuant to the relevant local, state and federal laws in addition to registering a complaint with MSJC. MSJC will not assume any responsibility for facilitating or intervening on behalf of any party to this grievance procedure in dealings with law enforcement authorities.
4. All problems and concerns should first be addressed to the MSJC Ombudsperson at ombuds@mtsinaishul.com or 347-974-3968. This hotline number is a dedicated voice mailbox that is accessible 24 hours a day and monitored solely by the Ombudsperson. If you feel more comfortable working with the Grievance Resolution Committee than the Ombudsperson, you may contact the committee instead at grievance@mtsinaishul.com [+ a phone number].

How MSJC Receives and Responds to Grievances



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5. When the Ombudsperson or committee receives such a complaint, they must notify the President or Vice President of all of the details of the complaint within 24 non-issur melacha hours. The Ombudsperson and committee will present monthly reports to the board of all complaints received in the past month and the status of not-yet-resolved complaints from prior months.
6. Complainants will receive an official acknowledgement of their grievance within three MSJC business days, at which time the Ombudsperson/Committee will attempt to set up an in-person meeting with the complainant.
7. In the event that calling or emailing the Ombudsperson does not yield a satisfactory or timely response, please contact the Grievance Resolution committee at grievance@mtsinaishul.com. The committee will also follow the procedures outlined in #5 and #6 above.

Possibility for a suspension pending investigation

8. The Ombudsperson may make recommendations through the Grievance Committee if s/he chooses, or directly to the Executive Director (if regarding an employee), or the Board (if regarding a non-employee), regarding whether to suspend the subject of the complaint from MSJC between the time the complaint is filed and deliberations are completed.
9. The Executive Director has initial authority to suspend temporarily any employee that reports directly to him/her. The Board has ultimate authority to make a final decision regarding whether or not to suspend any employee or nonemployee from MSJC pending the outcome of an investigation into a grievance.
10. The decision whether to suspend will be made in light of the severity of the complaint and potential harm to the complainant, the subject of this complaint, and others.

Investigations

11. After meeting with the complainant, the Ombudsperson/Committee may seek guidance of professional investigators, legal counsel, rabbis, community leaders, witnesses, mental health professionals, or other applicable experts. Communal funds may be made available for such as necessary. (The Ombudsperson/Committee can consult the Executive Director regarding the procedure for how consultants/vendors are paid.)
12. Completion of an investigation will generally require the complete cooperation of the complainant, and MSJC will be unable to take action in response to



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complaints that are reported anonymously. Employees are required to cooperate in the investigation of complaints.

Resolution of Grievances

13. How to resolve a grievance will vary according to the nature of the grievance and the outcome of an investigation. If MSJC determines that a violation of its policies has occurred, appropriate remedial action will be taken; any person determined by MSJC to have violated MSJC policy will be subject to disciplinary action such as the issuance of a warning, a suspension, or immediate discharge.
14. Who Makes the Decisions Regarding the Resolution
 - a. The Ombudsperson/Committee can use their discretion to close grievances when they achieve a satisfactory resolution based on their inquiry. The Ombudsperson can use the Grievance Committee as a resource to help explore options and achieve a satisfactory resolution.
 - b. Details of all investigations, resolutions, and closures of grievances shall be reported to the Board monthly by the Ombudsperson and Committee.
 - c. The Board can reopen grievances for additional investigation or action by a $\frac{2}{3}$ majority vote if it is not satisfied with the resolutions enacted by the Ombudsperson/Grievance Resolution Committee.

After MSJC Resolves the Grievance

15. The Ombudsperson, Committee, or their appropriate designee, will contact each party in writing regarding the resolution of the matter within 20 MSJC business days of the filing of the complaint. If no resolution has been reached by that time, the correspondence will provide a status update, and such status updates will be provided once every two weeks until a resolution is reached.
16. Any course of action chosen to resolve the complaint will be executed within 10 MSJC business days of all parties being informed.

Appeal Process

17. If the complainant or the subject of the complaint is unsatisfied with MSJC's decision, either party is welcome to request reconsideration of the decision by notifying the Grievance Resolution Committee at grievance@mtsinaishul.com [+ phone number] within twenty (20) MSJC business days of receiving the results.



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18. When the committee receives such a request, they must notify the President and Vice President within 24 non-issur melacha hours. The committee will include such requests in its monthly reports to the board.
19. The party asking for reconsideration will receive an official acknowledgement of his/her request within three (3) MSJC business days.
20. In the event that appealing to the committee does not yield a satisfactory or timely response, please contact the shul executive director or shul officers at officers@mtsinaishul.com. The officers will also follow the procedures outlined in #18 and #19 above.
21. The party asking for reconsideration of the Ombudsperson's decision may do so by submitting a written statement to the Grievance Resolution Committee, outlining the reason the party does not agree with the Ombudsperson's decision. Alternatively, the party may request an in-person meeting with the Committee. If the Grievance Resolution Committee has previously been involved with resolving the particular grievance, the party asking for reconsideration may make a written or in-person request for reconsideration to the Board of Trustees by contacting the MSJC President and Vice President.
22. The Board will hear the request for reconsideration within the next two scheduled Board meetings following such request, at which time the Board will vote whether to reopen the grievance and what further actions to take, if any. Such vote will be the final decision concerning this complaint.

Handling of Grievances

23. All parties to a grievance have the right to have all information and documentation relating to a grievance treated as confidential unless disclosure is required in order to investigate an allegation, take disciplinary action, or by a court order. MSJC may only consider this right to have been waived, and thereby release publicly information and documentation pertaining to the grievance, if:
 - a. the party filing the grievance and the subject of the complaint both present notice of intent to waive this right in writing addressed to MSJC, or
 - b. both parties make public disclosures to non-privileged third parties which disclosures demonstrate no reasonable expectation of privacy
24. All prescribed time limitations may be extended upon consent of both parties or by the ombudsperson/grievance resolution committee upon good cause.
25. MSJC will not retaliate in any form against anyone for reporting, assisting, or cooperating with a person making a good faith complaint. MSJC reserves the



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right to take legal actions against individuals who are discovered as having made false or misleading accusations.

26. Records of complaints, and steps taken to resolve them, will be maintained for future reference.

RIGHTS OF PERSONS WHO ENTER MSJC PROPERTY APPROPRIATELY OR ATTEND AN MSJC-SPONSORED EVENT

You have the right:

1. To be treated with courtesy and respect in a manner responsive to and respectful of your race, religion, cultural, or ethnic heritage, sexual orientation, disability or political belief
2. To be on MSJC Property and attend MSJC events in a safe environment, free from intimidation, harassment or other forms of offensive conduct
3. To be informed of your rights
4. To participate in programming on a voluntary basis
5. To disagree with actions taken on behalf of MSJC and to discuss the disagreement in the appropriate forum as outlined above

