

POLICY 602: GRIEVANCE PROCEDURE

ADOPTED: AUGUST 3, 1988 (REVISED: JUNE 20, 2017)

Policy:

It is the policy of the County that employees should have the opportunity to participate in a process to settle disputes regarding certain disciplinary corrective action.

602:1 GENERAL PROVISIONS:

1. The provisions of this policy apply to all employees who have been terminated or suspended as a result of disciplinary corrective action.
2. Exclusions to this policy are employees in their initial probationary period, those in positions of Director, Deputy Director, Assistant County Manager, Deputy County Manager, and those employees under the direct supervision of the County Attorney.
3. Employees covered under the Supplemental Workforce Policy 308 and contracted employees are not subject to the provisions of this policy.

602:2 GRIEVANCE/COMPLAINT

1. The employee shall present the grievance in writing to the employee's Department Director within five (5) business days after the occurrence of the event giving rise to the grievance or after the event became known or should have become known to the employee. In circumstances where the grievant reports directly to the Department Director, the initial grievance shall be presented to that Department Director's supervisor. Failure to file a written grievance within this established time will nullify the employee's right to use the grievance process for the event in question.
2. For purposes of corrective actions, the term "event" as used in this section shall mean the date on which the employee is notified of the action taken.
3. The Department Director may meet with the employee and other involved parties to discuss the matter following the receipt of the written grievance. If a meeting is held, it shall be within five (5) business days of the receipt of the grievance. The Department Director shall answer the grievance in writing within three (3) business days following the meeting. If no meeting is held, the Department Director shall answer the grievance within five (5) business days after receipt of the written grievance. The Department Director shall sustain, reduce, or reverse the discipline.
4. Employees are not entitled to legal representation during any grievance meeting.

POLICY 602: GRIEVANCE PROCEDURE

ADOPTED: AUGUST 3, 1988 (REVISED: JUNE 20, 2017)

602:3 GRIEVANCE COMMITTEE

1. The employee may file a written request for review by an independent Grievance Committee within three (3) business days of receipt of the department director's response or failure of the department director to supply a timely answer. The written appeal shall be submitted to the Human Resources Director and shall include the final outcome being requested from the grievance hearing.
2. The Director of Public Resources, or designee, is assigned to Chair the Grievance Committee and shall be notified by Human Resources within one (1) business day of the receipt of the request for review.
3. The Chair of the Grievance Committee shall assemble the committee from a pool of randomly selected County employees who have agreed to participate in grievance hearings as they arise. These employees shall not have been involved in the situation or shall not work for or have regular contact with the parties involved. The Committee shall consist of the Committee Chair, one supervisory and one non-supervisory employee.
4. The Grievance Committee shall, within fifteen (15) business days, or as soon as reasonably possible after receipt of such appeal, hold a hearing, review the appeal and submit written recommendations and findings to the County Manager. The Chair of the Grievance Committee may request information and/or documentation be submitted prior to the hearing from any of the parties involved.
5. The County Manager or designee shall, within five (5) business days after receipt of the Grievance Committee's response, render a decision upholding, reversing or modifying the Grievance Committee's recommendations.
6. The decision of the County Manager, or designee, is final.

602:4 TIME LIMITS

1. The failure of any County representatives to respond or take other action within the time limits set forth herein shall not nullify the employee's right to use the grievance process for the event in question.
2. No grievance shall be entertained or processed unless it is commenced in a timely manner as defined by this policy. If a grievance is not initiated or appealed in a timely manner in accordance with the provisions of this policy within the time frames set forth above, any further privileges shall be waived. The time limits may be extended by mutual agreement of the parties in writing only.