

- KY Agencies
- KY Services
- Search Terms



Jump to Main ContentHome | Job Seekers | State Employees | Management | HR Administrators | Retirees | GEAC | Wellness | KHRIS ESS/MSS Log-In
Personnel Cabinet > Diversity & Equality > EEO > How to File a Complaint or Grievance

Complaints & Grievances

Grievance Process

Occasionally employees are faced with situations that cannot be resolved through informal complaint processes. In such cases the employee may wish to file a formal grievance with his or her agency. The following administrative regulation (101 KAR 1:375) provides for those cases when an appeal to the Personnel Board might be unnecessary or premature. The employee grievance procedure allows many serious matters to be resolved in-house through a formal structure designed to save employees and their agencies both time and unnecessary effort.

A grievance is a complaint filed by an employee which concerns some aspect of his or her conditions of employment over which the cabinet or agency has control and which has occurred or of which the employee has become aware, through the exercise of due diligence, within thirty (30) days prior to filing.

Employees in the classified service who believe that they have been subjected to unfair or unjust treatment concerning their conditions of employment may file a grievance.

Any grievance concerning an action which is appealable directly to the Personnel Board under KRS 18A.095 (PDF - 14.6 KB) may also be filed with the cabinet or agency. The filing of a grievance with the cabinet or agency does not prohibit the employee from also filing an appeal with the Personnel Board or extend the statutory appeal period.

An employee utilizing this procedure is entitled to file a grievance without interference, coercion, discrimination, or reprisal.

An appointing authority must inform its employees of the provisions of this administrative regulation, or any modifications in the levels of review that have been approved by the Personnel Board for the employee's cabinet or agency under this administrative regulation.

The Secretary provides to the employees, through the appointing authorities, a Grievance Form to be used for filing a grievance. Grievance forms may also be inspected, copied or obtained at the Personnel Board, 28 Fountain Place, Frankfort, Kentucky 40601, 8:00 a.m. to 4:30 p.m., Monday through Friday.

Procedures:
A grievance is to be filed with an employee's immediate supervisor within thirty (30) days following the occurrence or the employee becoming aware, through the exercise of due diligence, of the action that is the subject of the grievance. If the action or conduct of the first line supervisor is the basis of an employee's grievance, the grievance may be filed with the second line supervisor.

An employee must state in writing the basis of the grievance or complaint together with the corrective action desired. If an employee wishes to submit additional information or documentation, it should be attached to the grievance.

If a grievance is filed that alleges discrimination on the basis of race, color, religion, sex, national origin, sexual orientation or gender identity, ancestry, age, disability or veteran status, the recipient of this grievance must immediately notify the cabinet or agency EEO Coordinator to apply the affirmative action plan.

Interviews to evaluate or investigate the grievance outside of normal work hours with the grievant or other employees entitle them to compensatory time.

Interviews to evaluate or investigate the grievance held with the grievant or other employees do not require the use of leave time.

Grievant may have a representative present at each step of the grievance procedure.

Grievance Levels

The person with whom the grievance is filed shall, upon investigation, issue findings and a decision in writing to the employee within five (5) workdays after receipt of the grievance. If the responding supervisor is unable to resolve the complaint to the satisfaction of the employee, the employee may request review of the grievance within two (2) workdays of receipt of the decision to the next appropriate level.

If the line supervisors are unable to resolve the grievance to the satisfaction of the employee, the employee may request review of the grievance within two (2) workdays of receipt of the decision of the final line supervisor by the appointing authority who, upon investigation, shall issue findings and a final determination in writing to the employee within ten (10) workdays.

Unless the time limits have been extended by agreement of the parties, failure of supervisory or management personnel to respond within prescribed time limits shall automatically advance the grievance to the next review level.

Any intermediate grievance level may be waived by written agreement of the parties.

Executive Order 2008-473
Relating to Equal
Employment Opportunities
and Non-Discrimination in
Employment in Kentucky
State Government (PDF -
77KB)

Kentucky Personnel
Board