

I. PURPOSE

To provide employees with an official procedure to resolve grievances and to correct, if possible, the cause of the grievance to prevent future complaints.

II. POLICY

Employees are entitled to have their grievances recognized and reviewed in a consistent manner and as quickly as possible.

III. GRIEVANCE PROCEDURE

A. Grievance Defined

1. Definition

A grievance is defined as an alleged violation, misinterpretation of Personnel Policies and Procedures, or other Agency rules, ordinances, or policies except as excluded under 2. below.

2. Matters Excluded from Consideration under the Grievance Procedure

- a) Performance Evaluation/Management Planning and Appraisal Report.
 - b) Probationary release of employees.
 - c) Position Classification.
 - d) Workload/Caseload.
 - e) Examinations
 - f) Items requiring capital expenditures.
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Grievance Procedure, Continued

- g) Items within the scope of representation and subject to the meet and confer process.
- h) Disciplinary Actions taken under Policy No. 420 of the Policies and Procedures.

B. Grievance Presentation

1. Informal Resolution

The employee(s) shall discuss the grievance with his/her immediate supervisor within ten (10) working days of the occurrence or when the employee reasonably should have known of the occurrence. Within ten (10) working days, the supervisor shall give his/her decision to the employee.

2. Formal Grievance

Within ten (10) working days, if the employee is not satisfied with the response from the supervisor or the employee has not received a response within the ten (10) working day limit, the employee may present the grievance, in writing, to the Labor Relations Department.

The Labor Relations Department shall, within twenty (20) working days convey the Agency's decision to the aggrieved in writing.

If the employee is not satisfied with the Agency's response or if the employee has not received a response within the twenty (20) working day limit, the employee may, within ten (10) working days, request to move the matter to arbitration. The request shall be directed, in writing, to the Labor Relations Department.

Grievance Procedure, Continued

C. Arbitration

As soon as possible, but no later than twenty (20) working days after receipt of the request for arbitration, the Agency and the employee shall select an arbitrator. If the parties are unable to agree upon an arbitrator, they shall request a list of seven (7) names from the State Conciliation and Mediation Services and shall strike names until an arbitrator is selected.

The arbitrator's compensation and expenses shall be borne by the Agency. Decisions of the arbitrator shall be advisory to the General Manager. The decision of the General Manager shall be final and binding.
