

HR Standard 1.6

EMPLOYEE GRIEVANCE PROCEDURE

PHILOSOPHY

A grievance policy is established in non-union counties to assure that all laws, policies, procedures, work rules, or regulations are fairly and uniformly interpreted and applied by all supervisory personnel during the day to day business of the agency. In unionized counties, the labor contract that is negotiated and agreed to will contain a grievance procedure that ends in binding arbitration. By fairly applying all laws, policies, procedures, work rules, or regulations, the agency can better retain qualified employees.

OUTCOME

A grievance policy shall assure employee's questions and concerns that develop in the day to day operation of the agency are promptly, respectively, and objectively heard and answered.

APPLICATION

1. Grievance is defined a disagreement between an employee and management as to the interpretation or application of policies; rules and regulations; state civil service laws; state or federal laws relating to terms and conditions of employment; or other disagreements stemming from perceived unfair, or inequitable treatment during employment with the agency.
2. All employees are encouraged to use this grievance procedure when they perceive it to be justified. Furthermore, employees must be assured that the use of the procedure or testifying in a grievance hearing will not result in disciplinary action, harassment, or being dealt with in any other unfair manner by the agency.
3. Nothing in the grievance policy denies an employee's legal right to appeal to the State Personnel Board of Review when and where that body has jurisdiction; the Ohio Civil Rights Commission; the Equal Employment Opportunity Commission; any court or regulatory agency of competent jurisdiction. However, once an employee elects to use the provisions or procedures of any of the above agencies or courts as remedy, he is denied the remedy of the agency grievance procedure. Any grievance filed prior to such appeal shall be considered withdrawn.
4. Grievances are to be settled at the earliest possible level of the procedure. The grievance must proceed through the levels in order that they are specified in the grievance procedure.

SAMPLE GRIEVANCE PROCEDURE

Step 1, Informal discussion: Any employee with a grievance shall, within the time frame of five working days, discuss the matter orally with his immediate supervisor and attempt to resolve the issue informally.

Step 2, Written Grievance: If the employee is not satisfied with the result obtained in Step 1, he shall file a written grievance with the unit administrator within five working days from the date of the informal discussion with his supervisor. The written grievance shall include:

1. A clear statement of the problem
2. The employee's statement of what he perceives as an appropriate resolution of the problem.

3. The facts that support the employee's position

Within five days working days, the unit administrator shall investigate the situation and furnish the employee with a written decision as to how or if the grievance will be resolved.

Step 3, Appeal to the director: If the employee is not satisfied with the result obtained in Step 2, he may file an appeal with the agency director or his designate within five working days of receiving the unit administrator's reply. All written information, grievance claim and supervisory responses, that has been developed to date shall be submitted to the director for his review. No information may be altered. The director or his designate shall review the information, further investigate the issue if he deems necessary, and issue a written response to the appeal within ten working days of receipt of the appeal.

Step 4, Pursuit of outside remedy: Once the employee has received the director's response and is still not satisfied with that response, he may appeal the matter to any court or regulatory agency of competent jurisdiction. Should this action be taken by the employee, the employee shall notify the agency director is being pursued.