

### UNIFIED PERSONNEL BOARD POLICY #11 **Grievance Process**

Personnel Rule 7 Employee Grievances provides Unified Personnel System Classified Service employees with a mechanism to raise a grievance regarding a work related issue. This policy sets out how departments and employees are to follow through on the various steps of the grievance process. This policy is not intended to supersede or change Personnel Rule 7, but is provided as a tool to make the process a little easier to understand and use.

When an employee believes they have a work related complaint as outlined in Personnel Rule 7, the employee is encouraged to attempt to resolve the issue through informal methods with his/her immediate supervisor. If the issue is not resolved, then the employee may seek remedy through formal means by submitting a grievance, in writing, to the Department Director within 15 calendar days of the time the employee (hereinafter grieving employee) first became aware of the aggrieved situation.

Note: Supervisors are encouraged to allow a grieving employee a reasonable amount of time to consult with Human Resources regarding the grievance process.

#### **Step 1 - Department Head**

If the grieving employee believes the issue was not remedied through informal means, he or she may submit a grievance to his or her Department Head on the form established by the Human Resources Department. The completed form must be submitted within 15 calendar days of the time the employee first became aware of the aggrieved situation. This is Step 1 of the Grievance Process.

The Department Head will deliver a written response to the employee within seven calendar days from when the employee submits the grievance form.

If the employee is dissatisfied with the Department Head's response, or does not receive a response within seven calendar days, the employee may proceed to Step 2 - Informal Grievance Panel (unless the grievance matter is restricted to resolution at Step 1 per Personnel Rule 7).

#### **Step 2 - Informal Grievance Committee**

If the employee is dissatisfied with the Department Head's response, or receives no response within seven calendar days, the employee may, within 15 calendar days, ask the Director of Human Resources to schedule a hearing before an Informal Grievance Committee. The first day of the fifteen days begins the day after the Department Head's response is received. If no response is received, the first day of the 15

## Grievance Process

days is the eighth day after the written grievance form is submitted to the Department Head.

The Informal Grievance Committee will consist of five employees and will be convened by the Director of Human Resources. It will be composed as follows:

- Two Classified Service employees
- One Appointing Authority representative
- One Exempt Service employee
- One Human Resources representative, who shall chair the committee.

The pool from which the Classified Service employees are chosen will be provided by the Employees' Advisory Council on an annual basis and updated as needed. The Director of Human Resources will compile a list of six employees who are not employed in the grieving employee's department from this pool. The grievant may strike two employees from the list. The Department Head or designee may then strike two additional employees from the list. The remaining two employees will serve on the Informal Grievance Committee as the Classified Service representatives.

The pool of Exempt Service employees to be used will be compiled from lists provided by each Appointing Authority on an annual basis and updated as needed. The Director of Human Resources will compile a list of three employees who are not employed in the grieving employee's department from this pool but with a preference for exempt employees within the Appointing Authority of the grieving employee. The grievant may strike one employee from the list. The Appointing Authority or designee may strike an additional employee from the list. The remaining employee will serve on the Informal Grievance Committee as the Exempt Service representative

The Appointing Authority will serve on, or designate a representative to serve on, the committee.

The Director of Human Resources will designate a member of the Human Resources Department to serve as Chair of the committee.

The Director of Human Resources will schedule the Informal Grievance Hearing within 30 calendar days of the grieving employee's request. Either the employee or the department may request the Director of Human Resources to reschedule the hearing if necessary.

The hearing is subject to the Florida Sunshine Law (F.S. 286.011, et. seq.). Parties shall limit issues brought forth to those which relate to the grievance. The Chair will document the process.

## **Grievance Process**

The order of presentation during the grievance will be:

- Employee will state his/her case
- Panel may question the employee and/or witnesses already called
- Management will state its case
- Panel may question management's representative and/or witnesses already called
- Dialogue between all parties
- Closing statements by each party, grievant and then management

Following the presentations the Informal Grievance Committee will deliberate and reach a decision. The decision of the Committee will be announced at the conclusion of the hearing and a written decision of the Committee shall be provided to the parties within ten calendar days of the conclusion of the hearing.

If either party is dissatisfied with the decision the party may appeal the Informal Grievance Committee's decision to the Unified Personnel Board unless Personnel Rule 7 does not allow. Requests for appeal must be made in writing on the form provided by the Human Resources Department to the Director of Human Resources within 15 calendar days of the date of the written decision of the Informal Grievance Committee.

### **Step 3 - Personnel Board**

Hearings before the Unified Personnel Board follow procedures as specified in the Unified Personnel Board Appeal Procedures of the Pinellas County Unified Personnel Board.

Decisions rendered by the Unified Personnel Board are final.