

**Rule 235**  
**UNREPRESENTED GRIEVANCE PROCEDURE**

**1.1. DEFINITIONS**

This procedure is for unrepresented employees. Please see the corresponding Association MOU for specific grievance procedures for represented employees.

**1.1.1. GRIEVANCE**

A grievance is a claimed violation or misapplication of an employee, a protection contained in any ordinance, resolutions, personnel rules, or written policies, which adversely affects the grievant.

**1.1.2. UNREPRESENTED GRIEVANT**

A grievant is any unrepresented employee who is filing a grievance as defined above. Alleged violations, misapplications, or misinterpretations which affect more than one employee in a substantially similar manner may be consolidated at the discretion of management as a group grievance.

**1.1.3. DAYS**

"Day(s)" shall mean day(s) in which the COUNTY's main Administration Office is open for business.

**1.2. INFORMAL LEVEL**

Within seven (7) days from the event giving rise to a grievance or from the date the employee could reasonably be expected to have had knowledge of such event, the grievant shall orally discuss his/her grievance with his/her supervisor. The supervisor shall have five (5) days to give an answer to the employee.

**1.3. FORMAL LEVELS**

**1.3.1. LEVEL 1 - DEPARTMENT HEAD**

If the grievant is not satisfied with the supervisor's answer, the grievant may within five (5) days from receipt of such answer file a written appeal to the department head who shall, within ten (10) days meet with the employee, and within five (5) days thereafter give a written answer to the grievant.

**1.3.2. LEVEL 2 - HUMAN RESOURCES DIRECTOR**

If the grievant is not satisfied with the written answer from the department head, the grievant may within five (5) days from the receipt of such answer file a written appeal to the County Human Resources Director, or their designee.

Within twenty (20) days of receipt of the written appeal, the County Human Resources Director or his/her designee shall investigate the grievance, which may include a meeting with the concerned parties, and give a written answer to the grievant within five (5) days thereafter.

### **1.3.3. LEVEL 3 - COUNTY ADMINISTRATIVE OFFICER**

If the grievant is not satisfied with the County Human Resources Director's written answer to the grievance, the grievant may within five (5) days from receipt of such answer file an appeal for final determination by the County Administrative Officer or their designee.

The appeal along with any documentation shall be forwarded to the County Administrative Officer for their consideration by the County Human Resources Director and the grievant.

The County Administrative Officer or designee must hear the grievance within ten (10) days thereafter, or as soon as possible. No later than ten (10) days after the hearing, the County Administrative Officer or designee shall issue a final decision in the matter.

## **1.4. GENERAL PROVISIONS**

### **1.4.1. EMPLOYEE'S TIME LIMIT FOR FORWARDING GRIEVANCE**

If a grievant fails to carry his/her grievance forward to the next level within the prescribed time period, the grievance shall be considered settled based upon the decision rendered at the most recent step utilized.

### **1.4.2. TIME LIMIT FOR RESPONSE**

If any reviewer fails to respond with an answer within the given time period during the formal levels, the grievance shall be automatically forwarded to the next higher level.

### **1.4.3. WAIVER OF LIMITS AND LEVELS**

Time limits and formal levels may be waived by mutual written consent of the parties.

### **1.3.4. PROOF OF SERVICE**

Proof of Service shall be accomplished by registered mail, hand delivery, or email.

### **1.3.5. APPEALS**

The employee shall receive regular pay for that time in the appeals process which is part of their normal duty shift but shall not receive any compensation for time spent outside of normal duty shift.