

SECTION 16 – EMPLOYEE COMPLAINT PROCEDURE

Effective 1/21/09
Replaces Policy _____
Dated _____

16.1 Purpose.

It is the purpose of this complaint procedure to assure employees that claim violations of this Manual or Departmental Rules and Regulations, will be considered fairly, rapidly and without reprisal. In addition, free discussion between employees and supervisors and managers will lead to better understanding of practices, policies, and procedures which affect employees.

16.2 Definition of a Complaint.

A complaint is a grievance about the misapplication or misinterpretation of this Personnel Policies and Procedures Manual, and/or applicable departmental rules and regulations. *Disciplinary action* is not covered under this policy but rather under the *Appeal* procedure in Section 10.

16.3 Procedure.

Step One: An employee shall present his complaint to his immediate supervisor or the Human Resources Department within five (5) working days from the time of occurrence of the complaint. The supervisor or the Human Resources Department shall attempt to resolve the grievance within three (3) working days after the complaint is submitted.

Step Two: If the employee has not received an answer from the immediate supervisor or Human Resources within five (5) working days, or if the employee feels the answer received is not satisfactory, they will put in writing the facts and circumstances of the problem and present the written statement to their Director or Human Resources within five (5) working days after the supervisor's decision or deadline in Step One, whichever occurs first. Assistance will be provided by Human Resources if requested, including for those employees who cannot read or write or have a language problem. The Director or Human Resources will investigate the grievance and meet with the employee to discuss the grievance within five (5) working days. The Director will notify the employee of his decision within five (5) days following the meeting date.

Step Three: If the employee has not received an answer from the Director within five (5) working days, or if the employee feels the answer received is not satisfactory, he will put in writing the facts and circumstances of the problem and forward the written statement to the City Manager, or his/her designee, within five (5) working days after the Director's decision or deadline in Step Two, whichever first occurs. Assistance will be provided by Human Resources if requested,

including for those employees who cannot read or write or have a language problem. The City Manager, or his designee, will investigate the grievance and meet with the employee to discuss the grievance and will notify the employee of his decision following the meeting date.

16.4 General Provisions.

The time limits set forth above, may be extended upon written request for reasons considered appropriate by the City Manager, or his/her designee. Failure of an employee to file a complaint in a timely fashion, unless an extension has been granted in advance, will constitute an automatic abandonment of the complaint.

In the event a complaint is filed which involves two (2) or more employees, the City Manager may rule that the grievance will be consolidated for hearing and decision.