

Dispute Resolution – Grievance Process

Disputes should be resolved at the lowest level and as informally as possible. Fair and unbiased resolutions should be reached as quickly as possible. As such, parties are encouraged to use alternative dispute resolution methods, including those provided in the personnel rules, in an attempt to reach early solutions.

If an employee is otherwise unable to resolve a dispute, he or she may initiate and proceed through the grievance process as follows, in accordance with the procedures established in the state personnel rules:

Informal Grievance Process

- An employee must initiate the grievance process within 10 days of the action or occurrence being grieved; or within 10 days after the employee has knowledge of, or reasonably should have knowledge of, the action or occurrence.
- To initiate the grievance process, the employee must notify the supervisor and/or second level supervisor.
- An informal discussion will be held to attempt to resolve the grievance. The discussion must include either the first or second level supervisor, and the division director or his or her designee.
- The division director or the director's designee shall inform the employee in writing of the decision within 7 days after the discussion. If a timely decision is not issued, the employee may proceed to the next stage of the process.
- The decision reached at the informal stage shall be binding on the parties, unless the employee elects to proceed to the formal written process.

Formal Grievance Process

- The employee has 5 days after receipt of the informal decision to initiate the formal grievance process. The formal grievance must be in writing and submitted to the appointing authority. Employees are encouraged, but not required, to use the grievance form that is available from the Human Resources Administrator and posted on the P: drive of the network, under Administration\Human Resources\HR Forms. Only the issues set forth in the written grievance shall be considered thereafter.
- The appointing authority will conduct a formal meeting with the employee to consider the grievance.
- The appointing authority will issue the final department response to the grievance. The appointing authority may appoint an objective person or panel to make

recommendations, or may delegate the decision. If the grievance concerns the actions of the appointing authority, the department may, but is not required to, provide a process by which a different individual issues the final department response.

- The process is deemed completed upon issuance of a final department decision, which must be in writing and issued within 30 days of the initiation of the written grievance process. The final written grievance decision must notify the employee of the right to appeal the final decision, including the time frame for such an appeal, and the Board address and telephone and fax number for filing the appeal.
- Any of the time frames for completion of the grievance process may be waived or modified if agreed to by both parties, including deferral of action to allow the parties a chance to resolve the issue.
- The final decision is binding unless the employee pursues it to the Board.
- If a final decision is not issued in a timely manner, the employee may pursue the grievance with the Board in accordance with personnel board rules.

An employee may be represented by any person of the employee's choice at any step(s) of the grievance process. That person may participate and speak for the employee.

All "days" referred to are calendar days. Should the due date fall on a Saturday, the deadline is shortened to Friday. Should it fall on a Sunday, the deadline is extended to Monday.