

BOX ELDER COUNTY PERSONNEL POLICIES AND PROCEDURES

6.	GRIEVANCE PROCEDURE
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6-1. Policy

It is the County's policy to address employees' grievances promptly and fairly. Any employee who is aggrieved by an action related to working conditions, employee-supervisor relationships, disability discrimination, working facilities and conditions, disciplinary actions, county policies or procedures or similar matters that cannot be resolved through informal discussions with the immediate supervisor, may file a written grievance within five working days after the event giving rise to the grievance, or within five working days after the employee has knowledge of the event giving rise to the grievance. The grievance shall address the problem and shall include recommendations for resolution.

- 6-2.** Only the originally presented grievance shall be considered on appeal as the process progresses. To insure this limitation, a copy of the original grievance shall be filed with the Director of Personnel.

6-3. Explanation of Rules

All employees are free to present complaints or grievances to their supervisor and shall be assured freedom from discrimination, coercion, restraint or reprisal. All employees have the right to representation at any step of the procedure. The employee and/or his/her representative may use a reasonable part of their working day to gather facts, with a 24-hour notification to supervisor to gather facts. The time limits which are outlined below are approximate and may be extended for logical and reasonable situations by mutual consent between the employee and the supervisor.

An employee's grievance, grievance forms, grievance materials, correspondence about the grievance, department replies to the grievance, or other documents relating to the grievance shall not be placed in the employee's personnel file.

6-4. Steps in the Procedure

1. The employee shall present the written grievance to the immediate supervisor. In all cases a copy of the grievance shall be provided to the Director of Personnel. The grievance shall state the complaint and the remedy or relief sought.
2. The supervisor shall issue a written response within five working days and give it to the employee and Director of Personnel.

3. If the grievance is not resolved or the response is considered unacceptable, the employee shall have ten (10) days to present the written grievance, all original supporting evidence and documentation, and a copy of the response being appealed, to the department head or supervising commissioner if the grievance is with the department head. The department head or supervising commissioner may or may not hold a hearing on the matter, but shall render a written response to the employee with a copy sent to the Director of Personnel within ten (10) working days.
4. The decision of the department head or supervising County Commissioner is final and unappealable except for grievances involving suspension, transfer, demotion or dismissal, in which case the employee may appeal in writing to the Appeals Board within ten working days after the receipt of the decision or after the decision is due.
5. If any *disciplinary action* against an employee is rescinded through the grievance procedures, the Director of Personnel shall remove the record of the disciplinary action from the employee's personnel file.

6-5. Appeal Board

The Board of Appeals consists of two Commissioners and one County employee selected by the County Employee Committee (*See Employee Handbook Section 9: EMPLOYEE COMMITTEE*). The two Commissioners will be neutral to the department in which the grievance occurred. The County employee will be from another department located in another area not associated in any way with the affected employee (personally or professionally).

The Appeals Board shall conduct a hearing within 30 days of receipt of the appeal.

At the hearing the employee or his/her representative shall first establish the basis of the grievance. **All grievances must be documented in writing.** Parties to the grievance may call witnesses who shall be sworn in. The Board shall receive all evidence and may ask questions and gather relevant information as it deems appropriate. At the conclusion of the hearing the members of the Board of Appeals shall consider the documentation and evidence which has been presented and render a written decision to the employee within ten (10) working days. Their decision shall be final.

6-6. Management's Failure to Act

Failure by management to render a decision within the allotted time at any step constitutes denial. The employee may then proceed to the next step.