




Clayton County Police Department PROCEDURES

Subject GRIEVANCES		Procedure # C3	
Authorizing Signature 	Effective 07-27-2021	<input type="checkbox"/> New <input type="checkbox"/> Amended <input checked="" type="checkbox"/> Rescinds (see below)	Total Pages 5

I. PURPOSE

The purpose of this policy is to establish departmental grievance procedures that supplement the existing County grievance procedures contained in *Clayton County Civil Service Rules & Regulations, Rule 11*, which can be accessed via *the Buzz Clayton County Employee Portal*, or by clicking on the link shown below.

<https://buzz.claytoncountyga.gov>

II. POLICY

In addition to the employment rights found within the *Clayton County Civil Service Rules & Regulations*, it is the policy of this Department to provide grievance procedures to employees which gives them the opportunity to resolve issues of concern.

III. PROCEDURE

A. Applicability & Considerations

1. All County employees covered by the Civil Service System, have the right

to file a grievance through the Clayton County Government, pursuant to the *Clayton County Civil Service Rules & Regulations* which can be viewed and/or downloaded from *the Buzz Clayton County Employee Portal* Homepage (Useful Links/ Civil Service Rules and Regulations), or by clicking on the link shown below.

<https://buzz.claytoncountyga.gov/human-resources/civil-service-rules-and-regulations/>

Filing a grievance with the County does not indicate that a grievance was properly filed with the Department through the procedures outlined herein.

2. Grievable Circumstances [CALEA 22.4.1(a)]

a. An employee may file a departmental grievance for any employment issue including those incidents in which adverse disciplinary action was imposed against him/her. Incidents involving non-adverse disciplinary action are non-grievable. Refer to standard operating procedure *B11: Disciplinary Procedures* regarding the definitions of adverse and non-adverse disciplinary action.

b. Only a permanent employee may file a grievance. A permanent employee is a full time employee who is no longer on probation after hire.

3. These departmental procedures are provided in addition to the County grievance procedures afforded to County employees by the *Clayton County Civil Service Rules & Regulations, Rule 11*. It is encouraged that employees attempt to resolve grievances through the Department before pursuing a grievance through the Civil Service Grievance process.

B. Employee Representation [CALEA 22.4.1(f)]

During or throughout the departmental grievance process, employees do not have the right to counsel or representation.

C. Grievances

An employee shall first present their grievance(s) to their immediate supervisor, who shall make a careful inquiry into the facts and circumstances of the complaint. If the immediate supervisor is directly involved, the employee shall present their grievance(s) to another equal or next ranking supervisor within the employee's chain of command. The supervisor shall attempt to resolve the problem(s) promptly and fairly.

When the issue needs to be brought to the attention of the chain of command beyond the immediate supervisor, the employee will adhere to the following procedures:

1. **Within ten (10) days of the alleged incident, the employee will prepare and submit a typed memorandum to initiate the formal departmental grievance process.** [CALEA 22.4.1(c)]

a. The memorandum must contain:

- 1) A brief statement of the wrongful act or harm done;
- 2) Any facts upon which the allegations are based; and
- 3) The employee's remedy or resolution he/she is seeking.

[CALEA 22.4.1(d)]

b. Upon completion of the memorandum, **the filing employee is required to notify the Administrative Assistant to the Chief of Police, or designee, to request and obtain a grievance tracking number that will be assigned to the grievance being filed.** The notification and request may be completed in person, via phone or by email.

The Administrative Assistant will maintain a *Grievance Number Log* for each calendar year. The log will include, at a minimum, the following information:

- 1) Date/time tracking number given to employee;
- 2) Grievance tracking number;
- 3) Name and employee number of employee who filed the grievance;
- 4) Name and employee number of supervisor who is implicated in the grievance; and
- 5) General type of grievance filed (e.g., improper disciplinary action taken; disparate treatment).

See Appendix A of this procedure for the *Grievance Number Log*.

c. **The employee will forward a copy of his/her completed grievance memorandum, with the affixed tracking number, to the Administrative Assistant,** at which time the grievance copy will be filed sequentially for the current calendar year in the Chief's File Room.

d. **The original grievance memorandum, with the affixed grievance tracking number, will be submitted by the employee to his/her immediate supervisor, unless the immediate supervisor is a person alleged to be directly involved in the grievance.** If the

immediate supervisor is directly involved, the memorandum will initially be submitted to another equal or next ranking supervisor within the employee's chain of command. [CALEA 22.4.1(b)]

2. Upon initial receipt, the receiving immediate supervisor will utilize the *Grievance Progress Log* to document the steps taken throughout the concerned employee's chain of command.

See *Appendix B* of this procedure for the *Grievance Progress Log*.

3. Upon receipt, the receiving immediate supervisor will have three workdays to complete the following: (1) Review the grievance. (2) Meet with the employee. (3) Research the grievance. (4) Attempt to resolve the issue.

In addition, the initial supervisor will document in detail his/her findings, to include the grievance tracking number, what measures were taken or discussed, and whether or not it was resolved. [CALEA 22.4.1(e)]

- a. If the grievance was resolved by the immediate supervisor, the concerned employee and supervisor will indicate on the supervisor's memorandum that the grievance was resolved and closed. The entire, original grievance file will be forwarded to the Administrative Assistant to the Chief of Police for filing in the Chief's File Room.
 - b. If the grievance was not resolved, the entire grievance file will be delivered immediately to the next ranking supervisor within the employee's chain of command. Only the Chief of Police may close a grievance as 'not resolved.'
4. Upon receipt, the next ranking supervisor will complete, sign and date his/her portion of the *Grievance Progress Log*. He/she will have three (3) workdays to complete the same aforementioned tasks and document in detail his/her findings, to include the grievance tracking number, what measures were taken or discussed, and whether or not it was resolved.
 - a. If the issue is resolved by the next ranking supervisor, the concerned employee and supervisor will indicate on the supervisor's memorandum that the grievance was resolved and closed. The entire, original grievance file will be forwarded to the Administrative Assistant to the Chief of Police for filing in the Chief's File Room.
 - b. If the grievance was not resolved, the entire grievance file will be delivered immediately to the next ranking supervisor within the employee's chain of command. Only the Chief of Police may close a grievance as 'not resolved.'

5. The aforementioned process will continue through each level of the concerned employee's chain of command, up to and including the Chief of Police, if no resolution was achieved by a supervisor. Only the Chief of Police may close a grievance as 'not resolved.'

Upon receipt, the Chief of Police will meet with the employee to determine whether or not a remedy or resolution can be reached. The Chief of Police will make the final determination and close the grievance file as either 'resolved' or 'not resolved,' indicating such on the *Grievance Progress Log*.

The Administrative Assistant to the Chief of Police will then file the entire grievance file in the Chief's File Room, replacing the existing copy.

6. At the request of the concerned employee, he/she will be provided a copy of the complete grievance file.
7. If the grievance is not resolved to the satisfaction of the concerned employee, he/she may pursue the grievance procedures outlined by the *Clayton County Civil Service Rules & Regulations*, if applicable. The Department will provide the County with a copy of the completed departmental grievance file, if requested.

D. Annual Documentation

In January of each year, the Administrative Assistant to the Chief of Police will file the previous calendar year's *Grievance Number List*, with the grievances filed for the corresponding calendar year, in the Chief's File Room. The information contained therein may be used for future statistical and analytical purposes to include, but not limited to, related annual re-accreditation efforts and determining if any patterns or trends exist.

IV. CANCELLATION

This procedure amends and supersedes the following standard operating procedure: *C3: Grievance*, dated June 8, 2017.