

 Kinston Police Department	<u>POLICY: Grievance Procedures</u>						<u>POLICY #:</u> 200-2
	<u>NCLEA Standards: 1.18:</u>						
	<u>CALEA Standards: 22.4.1</u>						
	<u>NCLM Standards:</u>						Effective Date:
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	Revision Dates:	01/01/21	02/04/25				07-01-2019
Approval: Chief of Police							

I. PURPOSE & SCOPE

The purpose of this policy is to establish guidelines for a formal process by which Kinston Police Department employees who have regular status may grieve certain non-disciplinary actions. The Kinston Police Department is committed to the fair treatment of all Kinston Police Department employees and will comply with all local, state, and federal laws related to the grievance procedures.

II. DEFINITIONS

- A. Grievable Action: A non-disciplinary personnel action that involves one of the following situations: reduction in force, issues related to working conditions, policies, an/or practices or when an employee perceives that he/she has been treated unfairly in the application of the Fair Labor Standards Act, Age Discrimination Employment Act, Family Medical Leave Act, American With Disabilities Act, and/or Equal Employment Opportunity Act.
(CALEA 22.4.1 a)
- B. Regular Status: A full-time employee who has successfully completed his/her probationary status and who is serving in a budgeted position and receiving benefits such as vacation sick leave. Also includes a part-time employee who is serving a budgeted position and who has completed his/her probationary status and is receiving benefits such as vacation and sick leave in a pro-rated basis.

III. RESPONSIBILITIES

- A. All department heads and supervisors are responsible for following the proper grievance process as defined by this document.

IV. POLICY

A. Informal Resolutions of Complaints

1. This document sets forth the procedures in which a Kinston Police Department employee can resolve issues regarding a Grievable Action. This policy recognizes that employees may have issues relating to work conditions, policies, or practices that require attention and resolution when possible. Grievances may be brought by a member who may be joined with another member in presenting the matter. This procedure can be utilized when all efforts of the employee have failed to address the problem. These procedures do not assure a change in a situation but rather provide formal steps to examine the issues brought forth, and if reasonable, make changes to resolve the problems. **CALEA 22.4.1 f)**
2. The employee is first and foremost encouraged to resolve any such issues by working with coworkers and management. If unable to reach an adequate solution, the following problem resolution procedure should occur.
 - a. The employee shall request a meeting with the immediate Supervisor to present the issue of concern. All grievances must be in writing and acknowledged by receipt noting time, date, and person receiving the grievance. Once the grievance has been filed, it must be handled formally. **(CALEA 22.4.1 e)**
 - b. Include the following information in a written statement: **(CALEA 22.4.1 d, e)**
 - i. The basis for the grievance (i.e., the facts of the case).
 - ii. The allegation of any specific wrongful act and the harm done.
 - iii. The specific policies, rules or regulations at issue.
 - iv. The remedy or goal being sought by the grievance.
 - c. The supervisor shall schedule a meeting with the employee within five working days. **(NCLEA 1.18) (CALEA 22.4.1 c, e)**
 - d. At the meeting, the supervisor shall review the issue with the employee and collect all relevant information and data concerning the situation. **(CALEA 22.4.1 e)**
 - e. After reviewing the information presented at the meeting, the supervisor shall make recommendations regarding the issue in writing to the employee within seven (7) working days of the meeting. The letter shall contain a summary of the issues and recommended actions that can be taken to resolve the issue, or if no action is recommended, state the reasons why. **(NCLEA 1.18) (CALEA 22.4.1 c, e)**
 - f. If the employee is unsatisfied with the immediate supervisor's response, they may, within ten (10) working days following the date of the letter issued pursuant to A2(d), request a meeting with the department head which shall be scheduled within ten (10) working days. Failure by the employee to request a meeting with the department head within the time allotted above will constitute a waiver of such meeting. **(NCLEA 1.18) (CALEA 22.4.1 c, e)**

- g. At this meeting, the employee shall again present the issue being grieved, reasons for the grievance, and any recommended solutions the employee may have. **(CALEA 22.4.1 e)**
- h. The Chief of Police shall review all matters regarding the issue and provide a written response to the employee within fifteen (15) working days of the meeting. The letter shall review the conference points and provide recommendations for resolution. This is the final step in the grievance procedure and the decision of the department head is final. **(CALEA 22.4.1 e)**

B. Policy or Training Implications

- 1. If, at the conclusion of a grievance process, there are any issues identified that may warrant an immediate revision to this Policy Manual, a procedural change or an immediate training need, the Chief of Police should provide notifications to the appropriate members in order to change written directives or submit information for inclusion in a training bulletin or in-service training sessions.