P.O. 219 Employee Grievances			
Effective From:	1-15-2011	Effective To:	Current

S. P.O. 219 - Employee Grievances

1. DEFINITION
   i) Employee Grievance - A grievance is an unofficial, internal agency procedure used to resolve employee complaints and other personnel actions that may not be appealed to either the Director of the State Police Commission or the State Police Commission.
2. PURPOSE AND SCOPE
   i) To establish a means to resolve problems among employees, or between employees and management, so that employee morale and efficiency may be maintained at the highest level possible. Some of the types of complaints that may be addressed through the internal grievance procedure include the following: − Health and safety concerns − Personality disputes between supervisor and subordinates or among workers − Perceived unfair treatment that does not rise to the level of discrimination − Changes in work location or hours − Requirements of supervisory plans.
   ii) Personnel shall adhere to the following guidelines: − Complaints about discrimination or harassment shall not be addressed through the internal grievance procedure and should be referred to the PSS Equal Employment Opportunity Officer.
   iii) Complaints about letters of warning or counseling are handled by written response and not through the grievance procedure.
      a) Matters that may be appealable to the State Police Commission Director are listed in State Police Commission Rule 5.3(b).
      b) Matters that may be appealable to the State Police Commission are listed in Chapter 13 of the State Police Commission Rules.
3. COORDINATION, MAINTENANCE AND CONTROL OF RECORDS
   i) The Human Resources Director or his designee is responsible for the coordination of grievance procedures and for the maintenance and control of grievance records.
4. ANALYSIS OF GRIEVANCES
   i) The Human Resources Office is responsible for annually analyzing grievances and reporting notable trends to the Superintendent of the Office of State Police.
5. STEPS IN THE GRIEVANCE PROCEDURE
   i) Step One
      a) The employee shall complete the Employee Grievance Form (DPSMF 1212) with the identifying information, statement of grievance, and remedy requested portion of the grievance form; he shall sign and date the form and present it to his immediate supervisor within fourteen (14) calendar days following the date the grievant first became aware of, or should have become aware of, the cause of such grievance.
      b) The supervisor shall meet with the grievant to discuss the grievance and shall give a written response to the employee (using the grievance form) within fourteen (14) calendar days following the date the supervisor received the grievance.
      c) Upon receipt of the supervisor's response, the employee shall complete the portion of the grievance form indicating his satisfaction/dissatisfaction with the Step One decision, and sign and date the form.
   ii) Step Two
      a) If the employee is not satisfied with the Step One decision, he may within fourteen (14) days of receipt of the supervisor's response, or fourteen (14) calendar days following the date the Step One response was due if the Step One response was not made within the prescribed time limit, submit the grievance form to the next level in his chain-of-command.

b) The employee may, at the discretion of the person receiving the Step Two grievance, be afforded an opportunity to present his viewpoint orally, and may choose to be represented by one person at the meeting.
c) The person receiving the Step Two grievance shall render a written statement of his findings and recommendations within fourteen (14) calendar days of receipt of the grievance form.
d) Upon receipt of the Step Two decision, the employee shall complete the portion of the form indicating his satisfaction/dissatisfaction with the Step Two decision, which he must sign and date.

iii) Step Three
a) If the employee is not satisfied with the Step Two decision, he may submit the grievance to the Superintendent's designated representative within fourteen (14) calendar days of receipt of the Step Two decision, or fourteen (14) calendar days following the date of the Step Two response was due if the Step Two response was not made within the prescribed time limit.
b) The Deputy Superintendent of the grievant's Troop/Section is the designated representative for both commissioned and non-commissioned employees working under his supervision.
c) The Deputy Superintendent shall hear the grievance himself, or appoint a grievance committee or other designated representative to hear the grievance and make a recommendation to him for a decision.
d) The Deputy Superintendent shall issue a written decision within fourteen (14) calendar days following the hearing.

iv) When the grievance is directly against the Deputy Superintendent or Superintendent, the grievance shall be submitted to the Superintendent, who shall designate a representative or grievance committee to hear the grievance and submit a recommendation to him within fourteen (14) calendar days of the hearing. The Superintendent shall issue a final decision within twenty-one (21) calendar days following the hearing.

v) When a grievant claims harassment by anyone in his chain-of-command, the employee may skip the grievance step that would directly involve that individual and may proceed to the next step.

vi) A copy of the completed Employee Grievance Form must be forwarded to the grieving employee, the employee's supervisor, the Deputy Superintendent and the Human Resources Office.

6. SUMMARY DISPOSITION OF GRIEVANCE

i) At any time after the filing of a written grievance, the Superintendent may summarily dispose of the grievance on any of the following grounds:
a) The questionable action falls into the category of activity appealable to the Director of the State Police Commission or the State Police Commission.
b) The grievant does not work for the agency.
c) The person against whom the grievance is filed does not work for the agency.
d) The grievance has not been made in the required manner or within the prescribed period.
e) A decision on the grievance would be ineffective or moot.
f) The requested remedy cannot be granted.
g) The Superintendent has determined the grievance to be frivolous.
h) The grievance is being used to impede the efficient operation of the agency.
i) The grievant did not appear for the grievance hearing.

ii) When the Superintendent summarily disposes of a written grievance, he shall notify the grievant and any supervisor or section head who received the grievance.

iii) Upon conclusion, a copy of the entire written grievance shall be submitted to the Human Resources Director and all parties involved in the grievance procedure.