Subject: Grievances		Policy Number: ADM: 03
Revision Number: 08	Effective Date: 11/17/2025	Original Issue Date: 04/26/1988

1) PURPOSE

a) The purpose of this policy is to establish grievance procedures for employees of the Department of Public Safety.

2) POLICY

a) It is the policy of the Department of Public Safety to ensure that employees receive fair and equitable treatment, to provide an easily accessible procedure for expressing dissatisfaction with work related issues, and to foster sound employee/supervisor relations through communications and ultimate resolution of work-related problems.

3) APPLICABILITY

a) This policy applies to all employees of the Department of Public Safety.

4) REFERENCES

a) CALEA Chapter 25 – Grievance Procedures

5) DEFINITIONS

a) **Common Supervisor** – The first point in the chain-of-command where the grievant and respondent have a mutual supervisor.
b) **Days** – When specified in the text as days, the application will be calendar days.
c) **Discrimination** – Illegal treatment of a person or group (either intentional or unintentional) based on race, color, national origin, ancestry, religion, age, sex, handicap, veteran status or medical condition. Sexual harassment is a form of sex discrimination.
d) **DPS** – The Department of Public Safety.
e) **Grievance** – A grievance is filed by an employee of the DPS who reasonably feels that the terms or conditions of employment have been negatively affected by an unwarranted departmental action.

f) **Grievance Appeal Panel** – A panel appointed by the state police chief, or his/her designee, consisting of; three (3) supervisors and two (2) peers selected from different divisions of the DPS. No more than one (1) supervisor and one (1) peer shall be from the grievant's division. The purpose of the panel is to act as an appeal entity when grievant disagrees with the final proposed resolution or with issues determined to be non-grievable pursuant to this policy. Grievant and respondent, upon being notified of the panel make-up, shall each have the right to remove one (1) member of the panel.

g) **Grievant** – The party initiating a grievance.

h) **Immediate Supervisor** – The first supervisor the grievant reports to, or the next level supervisor when the first line supervisor is not available.

i) **Representative** – A department employee, within two (2) State Personnel range classifications of grievant, who may accompany grievant throughout the grievance process. The representative will have no input during the process. However, grievant may request breaks during the process to discuss issues with representative. If the grievant is a commissioned state police employee, the representative must be no higher than the next classification level (example; If grievant is an officer, representative may be either an officer or a sergeant).

j) **Respondent** – The name of person(s) grievant feels is responsible for the action.

6) OPERATIONAL PROCEDURES

a) Grievance Overview

i) Employee grievances should be resolved at the lowest possible level and must pass through all appropriate organizational levels as outlined in the procedure. A grievance alleging an act of discrimination will follow a specific procedure outlined in DPS Policy *ADM: 36, Investigation and Resolution of Complaints Procedures*. Department personnel are reminded that the following conditions apply:

(1) Suspensions, demotions, dismissals, performance evaluations and written reprimands shall be handled pursuant to the State Personnel Act, State Personnel Rules and regulations, State Police Division Rules and Regulations, State Law, or applicable written procedures pertaining to these matters;

(2) Threats, reprisals or discrimination against any person participating in grievance proceedings are prohibited by respondent or anyone who is

reasonably construed to be under respondent's power of influence. Failure of any individual, supervisor or employee to comply with this condition will result in disciplinary action up to and including termination of employment; and

(3) In general, the appropriate chain of command shall be adhered to at all times.

ii) This grievance procedure is not applicable to matters for which an appeal process is otherwise provided and may not be used in addition to, or in replacement of, those processes.

iii) Any documentation resulting from a grievance that is resolved without involvement of the Grievance Appeal Panel will be forwarded to the Standards Bureau Commander for storage and/or disposition.

iv) All aspects of a grievance, verbal or written, will be held in the strictest confidence by all parties involved except to the extent necessary to reasonably resolve the grievance or as otherwise determined by the Cabinet Secretary.

v) The processing of grievances and appeals, including the necessary preparation, may take place during working hours but will not impede work duties. Preparation will be kept within reasonable time limits as determined by the immediate supervisor or the next level supervisor who is not a party. The district commander/division director/bureau chief will make the final decision in addressing issues related to this area.

vi) A grievance must be filed within thirty (30) days of the commission of the act or the failure to act that gave rise to the grievance. Grievances must be signed by the grievant unless exceptional circumstances exist as determined by the Cabinet Secretary.

vii) Any employee who, as determined by the Cabinet Secretary, files a frivolous or false complaint for the purpose of harassment may be subject to disciplinary action up to and including termination of employment.

viii) All grievances will be processed as expeditiously as possible. Exceptional circumstances can affect specific time limits, in which case the parties involved should agree to modification of the time limits. If agreement cannot be reached the grievant's district commander/division director/bureau chief will intervene and make a decision. The State Police Chief will intervene if the district commander/division director/bureau chief has a conflict of interest.

ix) The Cabinet Secretary is the final authority regarding procedural matters or any other aspect of a grievance including matters related to the disclosure of departmental records. All supervisors involved in attempting to resolve a grievance should take only such actions as is within their scope of authority and shall keep their immediate supervisor informed.

x) Grievances that proceed beyond the informal level will be documented and all meetings recorded. It is the responsibility of the next level supervisor to make a recording of any meetings he/she has with the grievant and respondent during the formal process. The Grievance Appeal Panel will record any meetings between them and the grievant and respondent during the appeal process.

xi) Examples of grievances include, but are not limited to:
   (1) Health and safety concerns;
   (2) Personality disputes between supervisor and subordinate or among workers;
   (3) Changes in work location or hours; or d. Perceived unfair treatment that does not rise to the level of discrimination.

xii) Examples of the types of information to be included in a grievance include, but are not limited to:
   (1) Name of grievant and respondent;
   (2) Description of act or omission which gave rise to the grievance; and
   (3) Date of act or omission.

xiii) The following circumstances will result in immediate dismissal of a grievance:
   (1) The grievance policy has not been followed with respect to required timelines or procedural steps;
   (2) A decision on the grievance would be ineffective or moot;
   (3) The grievance is being used to impede the efficient operation of the agency; or
   (4) The grievant did not appear for the grievance hearing.

xiv) Challenges to the State Police Promotional Process will be handled through a separate procedure.

b) **Procedural Steps and Responsibilities**

i) General Information

(1) The DPS will ensure that employees receive fair and equitable treatment by providing employees with a procedure for expressing dissatisfaction with work related issues. The grievance is initiated by an employee who is dissatisfied with the employment relationship and must take place within thirty (30) days of the act giving rise to the grievance. This procedure defines the steps for grievances. An employee may, at any time during the grievance process, withdraw their request.

(2) **An employee may elect to have a representative throughout the grievance process. Anytime legal counsel is involved in grievance proceedings, all parties involved shall sign *Attachment C Confidentiality Agreement* in order to assure complete confidentiality.**

ii) The Standards Bureau Commander, or his/her designee, shall be responsible for the coordination of grievance procedures.

iii) Informal Grievance Process

(1) The DPS employee (grievant), within thirty (30) calendar days of the alleged act, must meet with the respondent and verbally discuss the grievance, even if the immediate supervisor is the respondent, in an attempt to informally resolve the matter(s) in dispute.

(2) Within five (5) calendar days of the informal meeting, the grievant will notify the common supervisor to advise him/her of the informal resolution meeting with the respondent. If the matter was not resolved, the common supervisor will determine whether the grievant's complaint is valid and warrants further review and resolution. If so, the common supervisor shall, within five (5) calendar days of being notified of the informal meeting by the grievant, make every reasonable effort to informally resolve the grievance. If it is not determined as grievable, the common supervisor will so inform the grievant. No other action is required of the common supervisor. If the grievant accepts the resolution the process ends.

(3) If the grievant does not accept the resolution the formal process begins from this point forward.

iv) Formal Grievance Process

(1) The grievant must, within five (5) calendar days of being informed of the common supervisor's determination/resolution, complete and forward, to the common supervisor, a completed *Attachment B*

Grievance Complaint Form along with a statement discussing why the resolution was not acceptable. A copy of the completed form must be forwarded to the grievant's immediate supervisor.

(2) The common supervisor will attach any relevant documents or comments to the Grievance Complaint Form and forward it to the next level supervisor.

(3) The next level supervisor reviews the grievance and determines if the allegations are grievable or non-grievable and states the reasons for the non-grievable issues. He/she makes every effort to resolve the grievance and drafts a proposed resolution within five (5) calendar days of receipt of grievance. Any meetings between the next level supervisor and the grievant and respondent shall be recorded.

(4) The next level supervisor forwards the findings and resolution to the grievant and respondent.

(5) If the grievant approves the resolution the process ends.

(6) The district commander/division director/bureau chief will forward all written documentation and recordings to the Standards Bureau Commander for storage and/or disposition.

v) Should the grievance involve the DPS Cabinet Secretary, it would automatically be referred to the Grievance Appeal Panel.

vi) Grievance Appeal Process

(1) If the grievant disagrees with the final proposed resolution, then the grievant must request a review by the Grievance Appeal Panel. The request must be addressed to the Chief, through the chain-of-command, within five (5) calendar days of receipt of the final resolution. The request must state the reasons for the disagreement. Failure to submit the request within the deadline will result in the grievance being deemed as resolved.

(2) The State Police Chief will review all of the materials and appoint a Grievance Appeal Panel, including a chairperson, within five (5) days of receipt of the request. He/she will inform the grievant and respondent of the identity of the panel members, affording each of them the right to remove one panel member if they deem a conflict or problem exists. The right to remove a panel member must be exercised within two (2) days of their notification of the panel makeup. This must be done in writing to the chief. Failure to do so will result in the panel members remaining as appointed.

(3) The Grievance Appeal Panel, within two (2) days of appointment, shall schedule a meeting with the grievant and respondent. The meeting shall take place within five (5) calendar days. The Grievance Appeal Panel shall record and document the proceedings.

(4) The Grievance Appeal Panel will meet and review all documentation submitted regarding the grievance. They will obtain additional information and question the grievant and respondent, if necessary. The panel shall submit its findings to the state police chief within five (5) calendar days of the meeting.

(5) The State Police Chief shall review the findings provided by the Grievance Appeal Panel and within five (5) calendar days either affirm the decision or make his/her own. The decision of the state police chief is final and binding for all parties involved.

(6) The State Police Chief, or his/her designee, shall forward all written and tape-recorded documentation to the Standards Bureau Commander storage and/or disposition.

c) **Analysis of Grievances**

i) The Standards Bureau Commander is responsible for completing an annual analysis of general grievances.

ii) A report of the findings of the annual analysis shall be completed and submitted to the State Police Chief no later than the last day of January following the year being analyzed.

7) ATTACHMENTS

a) **Grievance Flow Chart**
b) **Grievance Complaint Form**
c) **Confidentiality Agreement**

8) APPROVAL

APPROVED BY: _____ **DATE:** 11/17/25

DPS Cabinet Secretary