
ADMINISTRATIVE DIRECTIVE – 102.002
GRIEVANCE BOARD

EFFECTIVE DATE: January 3, 1977
AFFECTS: All Personnel

REVISION DATE: May 3, 2021

I. PURPOSE

This directive establishes a Grievance Board and grievance procedure through which any member of the police department may formally bring a grievance to the attention of their chain of command. Employees will have the option of bringing their grievance to an assistant chief, an administrative manager, or through the established City of Plano Policy outlined in City of Plano Policies and Procedures, Policy 217.000.

II. POLICY

As with all city policies and procedures, if there is a discrepancy between these procedures and the firefighters and police officers civil service law, civil service rules will take precedence (City of Plano Policies and Procedures, Policy 217.000).

An employee is not required to use the police department's grievance procedure before utilizing the grievance procedure provided under City of Plano's Policies and Procedures, Policy 217.000. The employee may utilize City of Plano's Policy as the initial means of filing a grievance.

Employees are encouraged to first discuss job related questions with their immediate supervisor for possible resolution of the matter at that level. If the problem is with someone in the supervisory chain, the employee may go to the next level in the chain. The information process may be documented upon the request of any party involved or if specific action items/agreements are reached. (City of Plano Policies and Procedures, Policy 217.000).

Issues involving compensation and performance evaluations are not eligible for review by the Grievance Board. Position transfers and disciplinary actions are not eligible if they were within prescribed rules, regulations, and policy.

III. PROCEDURES

A. Issues Eligible for Review

Matters that may be reviewed by the Grievance Board include but not limited to the following job related issues:

1. Dissatisfaction with specific working conditions;
2. Allegation of discrimination or of unfair or inequitable treatment*;
3. Unfair application, interpretation or violation of city or departmental regulation; and/or
4. Acts of retaliation as the result of utilization of the dispute resolution process, including reprisal for participating in the resolution of another employee's dispute.

*Allegations of discrimination as recognized by state and federal law, including but not limited to: race, color, religion, creed, age, gender, disability status, or national origin cannot be heard by the peer panel (See City of Plano Policies and Procedures 217.000).

B. Submitting a Grievance

1. Grievances shall be typed or legibly written in memo form addressed to the Plano Police Department Grievance Board, and
2. The grievance must contain:
 - a. A written statement of the grievance and the facts upon which it is based, and
 - b. The allegation, in writing, of the specific wrongful act and harm done, and
 - c. A written statement of the remedy or adjustment desired.
3. Must be presented through the chain of command, within ten (10) calendar days from the date the alleged grievable action occurred.

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C. Grievance Board Administration and Organization

1. The Grievance Board shall consist of:

- a. An administrative manager,
- b. A deputy chief, or civilian equivalent, not in command of the aggrieved member,
- c. A lieutenant, or civilian equivalent, not in command of the aggrieved member,
- d. One sergeant,
- e. One police officer, and
- f. One civilian.

2. Appointments

- a. Appointments are made by the chief of police for the chair, sergeant, police officer and civilian. Appointments are made for a period of two (2) years. Members are appointed in January. Terms are staggered to avoid having an entirely new membership.
- b. Other appointments are made by the chief of police on an as needed basis when the board convenes.

3. Duties of the Board

- a. The assigned administrative manager serves as chairperson, with all the prerogatives of a board member except that of voting. The administrative manager will acknowledge receipt of the grievance by signature on the document and will also note the time and date the grievance was received on the document. If the employee's administrative manager is the assigned Grievance Board chair, the other administrative manager will assume the chair position for that grievance.

The administrative manager chairperson shall call for the hearing and notify the employee within ten (10) business days of the member's request. If the hearing cannot be convened within this time frame, the aggrieved member shall be notified in writing by the administrative manager of the delay and the reasons. Every reasonable effort will be made to convene the grievance hearing within ten (10) business days from the date of notification of the delay.

- b. The Grievance Board shall have the right and the duty to conduct any necessary investigation and hear any witnesses from within or outside of the department. The board shall also call any witnesses requested by the complainant when it is practicable to do so.
- c. The complainant shall be given an opportunity to present verbal testimony in addition to the original written complaint. Department members are not entitled to representation by legal counsel during a departmental proceeding.
- d. The Grievance Board will, in closed session, discuss the issue and analyze all the facts or allegations.
- e. The board will prepare a written report to the employee's assistant chief or administrative manager which will recommend an affirmation or denial of the allegations in the grievance and identify or recommend remedies or adjustments, if any, to be made.
- f. This written report shall be presented to the employee's assistant chief or administrative manager within five (5) business days from the date the Grievance Board convened.

D. Final Decision

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The officer's assistant chief or employee's administrative manager shall make final decision on any action to be taken and notify the grievant within five (5) business days of receiving the Board's report. If any further investigation is required, the grievant shall be notified in writing. Except for special circumstances, grievances will be resolved within twenty-five (25) business days.

E. Appeals

1. If a departmental employee wishes to appeal the grievance decision made by an assistant chief or an administrative manager, the employee shall provide notice of appeal in writing to the chief of police within five (5) business days from receipt of the decision of the assistant chief.
2. The chief of police will review the written report provided by the board, the recommendation initial decision of the assistant chief or administrative manager, and shall make a final decision regarding the appeal.
3. The chief of police will notify the grievant of the decision within five (5) business days of receiving the appeal.
4. Transfer appeals will be forwarded to and addressed by the Job Rotation Committee.

F. Records Retention

1. A copy of all grievance related records will be forwarded to the administrative manager chairperson, who will maintain a file of all completed grievances.
2. Viewing of this file will be restricted to only those personnel authorized by the chief of police.

G. Analysis of Grievance Procedures

The administrative manager chairperson will conduct an annual analysis of the grievance file to determine if any grievances have been filed and if any trends in filed grievances exist. Any and all supporting policies and practices will be included in the analysis. The administrative manager will prepare a written report to the chief of police of the findings of the analysis.