3-02/150.05 - General Provisions

- The employee grievance procedure is not applicable in areas outside the authority of this Department, such as County Salary Ordinance interpretation, or in areas where appeal procedures already exist, such as "unsatisfactory" performance evaluations and certain specified disciplinary actions (discharge or reduction). The employee shall be advised whether or not the Department will handle the grievance at the time he submits his formal appeal; if an employee fails to initiate a grievance or to appeal to the next level within the time limits established in this procedure, the grievance shall be considered settled and not subject to further appeal;
    - By mutual agreement of both parties, the various steps and time limits set forth in this procedure may be waived or the grievance may revert to a prior level for reconsideration, except in cases involving a suspension; and
    - An employee may present his grievance on county time, but the use of county time for this purpose shall not be excessive nor shall this privilege be abused in any manner. The Department shall determine what constitutes abuse. The use of overtime for processing or presenting a grievance is not allowed;
- If the aggrieved employee wishes, he may be assisted at the first step of the formal grievance procedure or any subsequent step by an authorized representative of a recognized employee organization. The representative of the employee organization must have his name on file and be accepted in accordance with the Bureau of Labor Relations and Compliance, Advocacy Unit, ordinance of the county, or other such applicable employee relations law;
    - It is also the employee's option to choose a fellow employee as his representative. The choice of a fellow employee as a representative must be acceptable to the Sheriff or his alternate;
- If an employee grievance involves disciplinary action resulting in a suspension, the aggrieved employee may waive step one of the formal grievance procedure and submit the SH-AD-465, starting with step two;
    - The aggrieved employee shall submit this form within ten business days from the date the letter of intent to discipline is delivered. If he does not grieve the suspension, disciplinary action taken shall be deemed accepted by the employee; and
    - The grievance form shall contain the employee's objections to the disciplinary action and the employee's suggestion as to what he considers as appropriate corrective action;
- If the grievance does not involve a suspension, but the aggrieved employee definitely believes that his grievance cannot be resolved at a supervisory-level, he may, with the concurrence of the concerned supervisors, waive formal step one only; and
- To waive step one, the aggrieved employee must obtain the signature of his first level supervisor in the signature space on the SH-AD-465. The aggrieved employee shall also write the word "waived" and sign his name in the decision section for step one and continue the form to step two;

Form SH-AD-465 shall be prepared by the employee for the formal grievance process. The original shall be presented by the employee at the various grievance steps and returned to the employee with the written response. A copy of the original SH-AD-465 in its entirety shall be made by the various supervisory-levels and sent to Bureau of Labor Relations and Compliance, Advocacy Unit at the completion of each formal step. A second copy of the original should be retained as the unit commander's record of the grievance discussions. This record will not be included in the employee's personnel file.