



POLICY AND PROCEDURES

NUMBER: 126

SUBJECT: *Employee Grievance*

ACA STANDARDS: 3-ALDF-1C-01, 22

DIRECTOR: Herbert Bernsen

EFFECTIVE DATE: 12/20/84

REVISION DATE: 7/1/90, 9/97, 12/99, 7/04
10/12, 7/14

I. POLICY

The St. Louis County Department of Justice Services shall maintain an employee grievance procedure to ensure prompt and fair resolutions of employee complaints.

II. RESPONSIBILITIES

All St. Louis County Department of Justice Services' staff are responsible for the following procedures.

III. DEFINITIONS

Employee Grievance: A perceived wrong which causes an employee to feel dissatisfied or annoyed with some aspect of his/her work situation over which he/she has no control of the work situation.

Grievable Issues: Working conditions of the employee's position, including work assignments, hours, overtime required, relationships with supervisory personnel and fellow employees, implementation of merit system rules or departmental regulations or procedures as applied to the employee, etc..

Non-Grievable Issues: Any matter, subject to appeal to the Civil Service Commission, including but not limited to, classification of positions, compensation including overtime provisions, employment status including dismissal, layoffs, demotions and suspensions of more than thirty (30) days within

any twelve (12) month period, examinations and promotions, Workers Compensation and appeals of performance appraisals.

IV. PROCEDURES

A. Grievance Procedure General Information

- 1.** Employees are encouraged to utilize this procedure when they believe incidents or events are occurring that have a negative impact on their work environment.
- 2.** Employees should determine between disagreements and real work related problems when they consider utilizing the grievance procedure.
- 3.** Supervisory personnel have a responsibility to listen and be responsive to all employee concerns.
- 4.** A successful grievance procedure allows for reasonable compromise by both the department and the employee in reaching a mutually agreeable solution to the problem.
- 5.** It is recommended that not more than five (5) days elapse between each step of this procedure.
- 6.** The filing of a grievance does not relieve an employee in any way of the responsibility to perform any and all assigned duties promptly.

B. Individual Grievances

- 1.** Employees should meet informally with his/her supervisor as a first step to resolving a problem.
- 2.** If the problem involves an employees immediate or intermediate supervisor the employee may meet directly with the employees next supervisor in the chain of command.
- 3.** The employee shall explain orally the situation and problem to his/her supervisor.

4. The supervisor either alone or after consultation with his/her superiors will reach a decision and communicate it orally to the employee within five (5) working days after being informed of the situation causing the grievance.
5. Every possible effort should be made by all parties concerned to settle employee problems at this level on an oral basis.
6. If the employee is not satisfied with the oral decision rendered, he/she shall submit the problem in writing on the Grievance Procedure Form (See Attachment #1) to his/her immediate supervisor within five (5) working days of the response. The problem being submitted must also include a proposed solution. A copy of the Grievance filed shall also be sent to the Division of Personnel for information purposes.
7. The immediate supervisor either alone or after consulting with his/her superiors will notify the employee in writing of his/her decision in the appropriate space on the Grievance Procedure Form. This form shall be returned to the employee within five (5) working days following the receipt of the written complaint.
8. If the grievance is not settled at this step, the employee may submit the grievance in writing to his/her Division Superintendent by the use of the appropriate space on the Grievance Procedure Form.
9. The employee's Division Superintendent shall use the appropriate space on the Grievance Procedure Form to notify the employee of his/her decision. This form, along with the response shall be returned to the employee within five (5) working days following the receipt of the written complaint.
10. If the problem is not settled at this step the employee may submit a grievance in writing to the Personnel Director. The Personnel Director will be responsible for grievance mediation and he/she or his/her authorized representative from the Division of Personnel shall conduct an impartial investigation and may hold interviews and meetings with both parties.
11. Following the investigation, the Personnel Director will propose to the employee and/or Division Superintendent alternatives, settlements or other arrangements as appropriate to achieve a mutually agreeable resolution to the grievance.

12. If an employee does not have his/her grievance settled satisfactorily through the mediation efforts of the Personnel Director, he/she may file an appeal with the Civil Service Commission by following the steps outlined in the St. Louis County Employee Grievance Policy and Procedure manual provided through the Division of Personnel.

C. Group Grievances

1. The individual procedure guidelines should be followed as outlined in Section B, numbers 1-8.
2. The Director can establish a grievance committee to meet with the employee group or representatives of that group or he/she may handle the grievance.
3. The grievance committee shall consist of the Director or his/her designee, and the two Division Superintendents, unless either Division Superintendent is the subject of the grievance.
4. Any employee who is subject of the grievance may request to be present at the grievance committee meeting.
5. After reviewing all information and meeting with the grievant, the committee will meet with the grievant or representative of the group to discuss their proposed resolution.
6. If after all prior procedures have been followed and a resolution has still not been accepted, then the procedures outlined in the individual procedure Section B, numbers 11-12 shall be followed.

** If the grievance involves ADA related complaints the Department Head shall also send an informational copy of the grievance to the Departmental ADA representative and to the County ADA Coordinator for input and recommendation.

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