

Grievance Procedure

1006.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

1006.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or the dispute involving the interpretation or application of any of the following documents by the person(s) affected:

- The employee bargaining agreement (Memorandum of Understanding)
- This Policy Manual
- City rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected employee or by a group representative.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in the Discriminatory Harassment Policy, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in the Personnel Complaint Policy.

1006.1.2 MATTERS NOT SUBJECT TO GRIEVANCE

A decision may be made at any step in the grievance procedure that the matter involved is not grievable. Matters which may not be grieved include, but are not limited to, compensation, work methods, equipment, hours of work, services provided, staffing levels and allocation to classifications.

1006.2 PROCEDURE

Except as otherwise required under a collective bargaining agreement, if an employee believes that he or she has a grievance as defined above, then that employee shall observe the following procedure:

- (a) Attempt to resolve the issue through informal discussion with immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Division Commander of the affected division or bureau.

Azusa Police Department

Azusa PD Policy Manual

Grievance Procedure

- (c) If a successful resolution is not found with the Division Commander, the employee may request a meeting with the Chief of Police.
- (d) If the employee and the Chief of Police are unable to arrive at a mutual solution, then the employee shall proceed as follows:
 - 1. Submit in writing a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor and include the following information:
 - (a) The basis for the grievance (i.e., what are the facts of the case?).
 - (b) Allegation of the specific wrongful act and the harm done.
 - (c) The specific policies, rules or regulations that were violated.
 - (d) What remedy or goal is being sought by this grievance.
- (e) The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.
- (f) The Chief of Police will receive the grievance in writing. The Chief of Police and the City Manager will review and analyze the facts or allegations and respond to the employee within 14 calendar days. The response will be in writing, and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the City Manager is considered final.

1006.2.1 STEP ONE

An attempt must be made to resolve all grievances on an informal basis between the employee and the immediate supervisor. It is the responsibility of the employee to initiate this process within five (5) calendar days of the date when the aggrieved action or incident became known to the employee.

1006.2.2 STEP TWO

If the grievance is not satisfactorily resolved on an informal basis, the employee shall submit the grievance in writing to his/her immediate supervisor within ten (10) working days after the informal decision of the immediate supervisor. The supervisor must deliver his/her answer in writing to the employee within ten (10) working days after receiving the appeal.

1006.2.3 STEP THREE

If the grievance is not satisfactorily resolved at the second step, the employee may present his/her grievance to his/her supervisors immediate supervisor within ten (10) working days after receipt of the written decision of his/her supervisor. The supervisor receiving the grievance shall render a decision, in writing, and return it to the employee with ten (10) calendar days after receiving the appeal.

Azusa Police Department

Azusa PD Policy Manual

Grievance Procedure

1006.2.4 STEP FOUR

If the grievance is not satisfactorily resolved at the third step, the employee may submit it in writing to the department head with ten (10) working days after the supervisor's decision is received. The Department Head shall deliver a response in writing to the employee within ten (10) working days after the submission of the grievance to the department head.

1006.2.5 STEP FIVE

If the grievance is not satisfactorily resolved at the fourth step, it is submitted in writing to the Personnel Board within ten (10) working days after the department head's answer is received. The Personnel Board shall make a recommendation in writing to the City Council within thirty (30) calendar days after receiving the grievance.

The City Council shall review the Personnel Board decision on the basis of the Personnel Board findings and recommendations, and either implement the recommendation or take such other action as it deems appropriate. The Council shall take such action within fifteen (15) working days of the filing of the Personnel Board recommendation. The City Clerk shall notify all affected employees of the Council decision within five (5) working days.

1006.3 CONDUCT OF GRIEVANCE PROCEDURE

1006.3.1 TIME LIMITS

Time limits specified above may be extended to a definite date by mutual agreement of the employee and the reviewer concerned.

1006.3.2 REPRESENTATION

The employee may request the assistance of another person of his/her own choosing in preparing and presenting his/her grievance to any level of review.

1006.3.3 USE OF WORK TIME

The employee may be privileged to use a reasonable amount of work time as determined by the appropriate department head or supervisor in conferring about and presenting the appeal.

Employee is assured of freedom from reprisal for using the grievance procedure.

1006.3.4 FORMS

All grievances and grievance appeals shall be filed on forms provided by the Human Resources Office after consultation with employee representatives and department heads. Steps 2 through 5 of rule 15.4 are to be handled by using the aforementioned forms.

1006.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administrative Services for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the City Manager's office to monitor the grievance process.