

**CITY OF GRAND PRAIRIE
HUMAN RESOURCES POLICIES AND PROCEDURES**

Section E: **Employee Relations**
No. 10: **Grievance/Appeal Process**
Revised and Approved: **07/16/20**

1.0 Purpose:

- 1.1 This policy provides guidelines for filing an eligible grievance or appeal with Human Resources.

2.0 Scope

- 2.1 This policy applies to non-sworn full-time employees who have passed their applicable initial introductory period. Sworn employees shall follow Chapter 143 of the Local Government Code and applicable Local Civil Service rules.
- 2.2 An eligible grievance/appeal includes an application, interpretation or disagreement of a written rule, policy, procedure, law or certain disciplinary action (suspension, involuntary demotion or termination) for which the employee feels was unjustified or unfairly applied. The employee must clearly communicate specific concerns and resolution sought.
- 2.3 Generalized feelings of unfairness or disagreements regarding performance evaluations, certain discipline - oral or written reprimands, Decision Making Leave, or Performance Improvement Plans (PIP), position or pay, work assignments or training, or action taken related to the Substance Abuse Policy are not considered eligible to be filed as a grievance or appeal. Such disagreements should be addressed between the employee and the chain of command, or with the department for which ownership of that item lies.
- 2.4 Complaints of civil rights violations, discrimination or harassment should follow procedures outlined in the "Discrimination and Harassment Policy."

3.0 Procedures:

- 3.1 Employees with concerns about their jobs or work environment are expected to work through the chain of command promptly, within 5 business days of an issue arising, in an attempt to communicate and allow supervisor's to understand and address the concern prior to escalation, beginning with the lowest appropriate level of supervision first.
- 3.2 Should a situation persist following such attempts at department level resolution, an eligible grievance or appeal may be filed.
- 3.3 It is the city's intent to:
 - a. Provide fair and timely grievance review to employees utilizing the process;
 - b. Encourage open communication and dialogue among parties;
 - c. Base decisions upon facts and doing what is right;
 - d. Ensure parties treat one another respectfully throughout the process; and
 - e. Ensure that no retaliation or reprisal occurs for having filed a grievance.
- 3.4 A department is not authorized to fill a position vacated by an employee who has an active grievance on file.
- 3.5 Grievances may be discussed during scheduled work hours without loss of pay to the employee.

- 3.6 To initiate a grievance/appeal, the affected employee must file an Appeal/Grievance Form (Attachment A) with Human Resources **within five (5) business days** of the verbal or written action or the issue for which the employee disagrees.
- a. Information on the form must be specific and include what is being grieved, dates/times of relevant incidents/issues, why they disagree, as well as the specific resolution requested.
 - b. Human Resources will facilitate and coordinate all aspects of the process, including communication with the parties involved.
 - c. There will be two levels of termination appeals. The first level of appeal will be heard by a Deputy City Manager and, if necessary, the second and final appeal will be heard by the Chief Operating Officer and/or the City Manager, as appropriate.
 - (1) It is expected that the Director over the Department has been involved in the termination process and has reviewed the facts prior to termination.
 - (2) Human Resources will escalate the grievance/appeal to the next level as appropriate.
 - (3) The Deputy City Manager, Chief Operating Officer and City Manager have 10 business days to consider their respective appeals, speak with the employee, speak with the chain of command involved, and review relevant facts to date regarding the appeal to reach a decision.
 - (4) Human Resources may assist the City Manager's Office as needed in coordinating communication of decisions to the former employee and ensuring copies are maintained for the grievance file.
 - (5) The former employee has 5 business days from notification to confirm in writing that they wish to escalate their appeal.
 - (6) The City Manager's decision is final in the appeal process.
 - d. Other grievance/appeals as to work environment, etc. may be heard at lower levels in the organization as appropriate to address the concerns within the chain of command.
 - e. If the employee does not file the grievance or appeal timely, or does not respond by stated deadlines during the process, the matter will be considered settled and accepted by the employee based upon the latest disposition. An employee's failure to respond to messages left via email, voice mail or other methods for which are reasonable attempts to properly notify the employee does not justify unnecessary extensions to timelines.
- 3.7 Grievance discussions are not formal hearings. Discussions will be conducted privately and will not be recorded without full knowledge of all involved parties.
- 3.8 Human Resources may extend time limits as needed when conflicts or scheduling issues arise and if timely communicated by parties involved and such delays are not unreasonable or continual.
- 3.9 An employee may request to have a representative present at an appeal under the following conditions:
- a. The representative may not be an employee of the city in order to preserve confidentiality of issues at hand.
 - b. The representative shall remain quiet during the employee's presentation of facts and during any questioning throughout the process.
 - c. The City expects to hear from the employee regarding the facts and their perspective.
 - d. The representative may privately counsel the employee as needed; however, at no time shall the representative interfere with, delay or unduly disrupt the process. If such occurs, they shall be asked to leave the area and wait for the employee to finish. Such discretion

to ask the representative to leave remains at the full discretion of the manager involved at that time.

4.0 Appendices:

A. Grievance/Appeal Form

Grievance/Appeal Form Attachment A

General Information:

Email address to reach you: _____

Issue (facts, date, time and why you feel it was unjust/unfair):

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

Remedy or adjustment sought:

Date _____