

GRIEVANCE PROCEDURE**1.8.4****D. GRIEVANCE PROCEDURE**

The grievance procedure shall consist of the following steps:

1. Informal Grievance Procedure

Within 10 working days of the act(s) or omission(s) giving rise to the grievance, the grievant must discuss the grievance with his or her immediate supervisor, who will investigate and attempt to resolve the matter. The supervisor shall give the grievant an oral or written reply within 10 working days after the discussion. If the grievant is not satisfied with the reply, he or she may proceed to the Formal Grievance Procedure.

2. Formal Grievance Procedure**a. First Level Review**

Any grievance not resolved by the Informal Grievance Procedure, may be submitted in writing by the grievant to his/her immediate supervisor or Department Head along with a copy to the HR Director, no later than ten (10) working days after the date of the oral or written reply. A grievance may be submitted directly to the HR Director or, if the grievance started at a level above the supervisor or department, the grievance may be submitted at the higher level. The written grievance must contain the following information:

- i. Name of grievant and job title;
- ii. Department in which grievant works;
- iii. The specific act or omission which gave rise to the alleged violation, misinterpretation, or misapplication and the date or dates of the alleged act or omission;
- iv. The specific provision(s) of the MOU, the City Policy or Personnel Rules alleged to have been violated, misinterpreted, or misapplied;
- v. A list of the documents, witnesses or other evidence that support the grievance;
- vi. Desired solution or remedy;
- vii. Name of the grievant's representative, if any;
- viii. Signature of the grievant or representative and date signed.

Within ten (10) working days thereafter, the responder shall schedule a meeting with the grievant to work at resolving the grievance. The supervisor shall give the grievant a written reply within 10 working days after the meeting and shall file a copy with the HR Director. If the grievant is not satisfied with the response, he/she may proceed to Level 2.

b. Second Level – Department Head Review

Any grievance not resolved at Level 1 may be submitted to the Department Head no later than 10 working days after the date of the supervisor's written reply. The grievant shall provide the Department Head with a copy of the Level 1 response. Within 10 working days thereafter, the Department Head shall schedule a meeting with the grievant to work at resolving the grievance. The Department Head shall give the grievant a written reply within 10 working days after the meeting and shall file a copy with the HR Director. If the grievant is not satisfied with the response, he/she may proceed to Level 3. If the grievant immediate supervisor is a Department head, then the second level is skipped. The grievant will move to level three upon an unresolved grievance at the first level.

c. Third Level – City Manager

Any grievance not resolved at Level 2 may be submitted to the City Manager no later than 10 working days after the date of the Department Head's written reply. The grievant shall provide the City Manager with a copy of the Level 2 response. Within 10 working days thereafter, the City Manager shall schedule a meeting with the grievant to work at resolving the grievance. The City Manager shall give the grievant a written reply within 10 working days after the meeting and shall file a copy with the HR Director. If the grievant is not satisfied with the response, he/she may proceed to Level 4.

d. Fourth Level – City Council

Any grievance not resolved at Level 3 may be submitted to the City Council no later than 10 working days after the date of the City Manager's written reply. The grievant shall provide the City Council with a copy of the Level 3 response. Within 10 working days thereafter, the City Council, or its Designee, shall schedule a hearing before the City Council or Designee in which the parties to the grievance may present evidence. The City Council shall give the grievant a written decision within 30 days after the hearing and shall file a copy with the HR Director. The decision shall be based upon the oral and written evidence submitted at the hearing. The decision of the City Council shall be final and binding.