

**Administrative Grievance Procedure****2.1.2****PURPOSE**

The purpose of this policy is to provide a prompt and effective means of resolving grievances related to issues that are not covered under a grievance procedure contained in a Memorandum of Agreement or for employees who are not represented by a formally recognized bargaining unit.

**SCOPE OF APPLICATION**

This Administrative Grievance procedure applies to all City employees.

Grievances relating to alleged violations of a Memorandum of Agreement (MOA) should be processed under the grievance procedure contained in the applicable MOA. To the extent that any provision in this policy conflicts with the provisions of an applicable MOA, the MOA provisions shall prevail.

**DEFINITION**

An Administrative Grievance covered by this policy shall be defined as an employee's contention that the City has failed to comply with an established rule, regulation, policy, procedure, ordinance or resolution governing personnel practices or working conditions and by such failure has either deprived the employee of a right or economic benefit or impaired such right or economic benefit.

***IF THERE IS AN APPLICABLE COMPLAINT OR DISPUTE RESOLUTION PROCEDURE PROVIDED IN THE CITY CHARTER, MUNICIPAL CODE, APPLICABLE MEMORANDUM OF AGREEMENT, POLICY, ORDINANCE OR RESOLUTION, THAT PROCEDURE SHALL BE USED.***

**GENERAL PROVISIONS**

1. Any Administrative Grievance not filed or appealed within the time limits specified shall be considered settled on the basis of the last disposition given. In the event the Administrative Grievance is not answered within the time limits specified, the employee may appeal the Administrative Grievance to the next higher step within the time limits provided.
2. Working days shall be defined as the regularly scheduled work days of the employee filing or appealing the Administrative Grievance and the regularly scheduled work days of the appropriate representative of the City responsible for replying to the Administrative Grievance.
3. All time limits specified may be extended by mutual written agreement of the parties.
4. No employee shall suffer retaliation for utilizing the Administrative Grievance procedure in good faith.

**Administrative Grievance Procedure****2.1.2****PROCEDURES****Step I**

An employee may present the Administrative Grievance orally or in writing to the immediate supervisor within ten (10) working days following the events on which the Administrative Grievance is based. The immediate supervisor shall make whatever investigation is necessary to obtain the facts pertaining to the Administrative Grievance and respond within ten (10) working days after receiving the Administrative Grievance. The response may be written or verbal.

If the employee is not satisfied with the reply of their immediate supervisor, the employee may appeal the Administrative Grievance to Step II.

**Step II**

If the employee desires to appeal the Administrative Grievance to Step II, the Administrative Grievance shall be reduced to writing and presented to the Department Director or designee within five (5) working days following the receipt of the immediate supervisor's reply. If the Supervisor in Step II is the Department Director, the appeal shall proceed directly to Step III.

To ensure clear communication and assist in resolving the Administrative Grievance, the written Administrative Grievance shall contain the following information:

- A clear statement of the problem
- The alleged facts upon which the Administrative Grievance is based
- The established rule, regulation, policy, procedure, ordinance or resolution claimed to have been violated and the specific violation claimed
- The remedy requested by the grievant

The Department Director, or designee, may arrange a meeting to attempt to resolve the Administrative Grievance. In any event, the employee shall be given a written decision within ten (10) working days following receipt of the written appeal to Step II.

If the employee is not satisfied with the decision, the employee may appeal the Administrative Grievance to Step III.

**Step III**

If the employee desires to appeal the Administrative Grievance to Step III, the employee shall indicate in writing the reason for the appeal and present it along with the original written Administrative Grievance to the City Manager or designee (the Office of Employee Relations) within five (5) working days following receipt of the written decision at Step II.

