

Category: 300

Number: 348

Policy: **Grievance Procedure for Non-Union Employees**

Purpose: The purpose of this policy is to define and serve as primary document for the Grievance Procedure for Non-Union Employees.

Authority: St. Clair County Board of Commissioners. Administrative policies shall be subject to revision or termination by the Board of Commissioners at its discretion. This policy replaces and supersedes any prior policy on this subject matter.

Application: This policy applies to County Officials, Appointed, Elected and Confidential and Non-Union Employees (CANUE). This policy shall not apply to the court system or any co-employers as recognized by Michigan law.

Responsibility: The Human Resources Director or designee shall be responsible for the administration and enforcement of this policy.

RIGHT TO PROTEST

An employee may utilize the grievance procedure to protest disparate treatment, a policy violation and/or discipline including employment termination.

PROPER BASIS FOR A PROTEST

A proper matter subject for the grievance procedure must be based on one or more of the following:

- A violation or deviation from a specific written County policy, procedure or practice.
- A failure of the County or department to comply with a specific written posted policy, procedure, method or regulation.
- An issue of fact upon which discipline is based.

STEP 1: DISCUSSION WITH THE DEPARTMENT HEAD AND/OR SUPERVISOR

The employee shall discuss the matter of concern with his or her department head and/or supervisor within five (5) working days of occurrence or knowledge of the occurrence. If not discussed with the department head and/or supervisor within five (5) working days, the matter is not subject to review through the grievance procedure. The employee is obligated to inform the department head and/or supervisor that the meeting represents initiation of the grievance procedure. The department head and/or supervisor shall make every effort to respond to the grievance within five (5) working days. A working day is defined as Monday through Friday, excluding all County recognized holidays.

STEP 2: WRITTEN GRIEVANCE

If the matter is not resolved, the employee/grievant shall, within eleven (11) working days of the date of discussion, present the department head and/or supervisor with a written grievance. The grievance shall include:

- The grievant's name, classification and department or division.
- The date of filing the written grievance.
- A detailed summary of the issue involved.
- The remedy or relief requested by the employee/grievant.
- A complete, concise statement of the Step 1 Grievance discussion with the department head and/or supervisor.

The department head and/or supervisor shall provide a written response to the grievant within five (5) working days of the receipt of the written grievance. Failure of the department head and/or supervisor to respond will entitle the employee to advance the grievance to the next step.

STEP 3: HUMAN RESOURCES DIRECTOR

- If the matter is not resolved, the grievant shall, within five (5) working days of the department head and/or supervisor's written grievance response, file a copy of the grievance and the department head and/or supervisor's response with the Human Resources Director.
- The Human Resources Director is the County's Grievance Hearing Officer. The Human Resources Director shall, within five (5) working days of receipt of the grievance, establish a date for a meeting. The meeting shall include the Human Resources Director, empowered to hear the grievance, the employee/grievant and department head and/or supervisor and any witnesses who may be able to testify to the facts in the matter. The Human Resources Director may adjourn the meeting to call for additional witnesses, conduct a background or informational investigation or for the convenience of any of the participants.
- When the facts have been determined to the satisfaction of the Human Resources Director, a written response shall be made to the employee/grievant and department head and/or supervisor within eleven (11) working days of the last meeting of the parties.

DEPARTMENT HEAD OR SUPERVISOR GRIEVANCE

A department head and/or supervisor are entitled to initiate a grievance with the Human Resources Director.

GRIEVANCE DECISION APPEAL

The appeal of the Human Resources Director's decision must be initiated within two (2) calendar weeks with the County Administrator/Controller whose decision shall be final and binding.

PROPER GRIEVANCE

Failure of the employee/grievant to utilize the grievance procedure in the time limits described herein shall exclude the matter from the grievance procedure.

PROGRESSIVE STEPS

The grievance procedure is progressive. The outlined steps must be adhered to strictly or the matter may be rejected as an improper grievance.

For further information, an employee may contact the Human Resources Department by telephone at (810) 989-6910 or by email at humanresources@stclaircounty.org.

Review: The Administrator/Controller has reviewed and approved this policy as to substance and Corporation Counsel has reviewed and approved as to legal content. The Human Resources Director shall periodically review this policy and make recommendations for changes as needed.

Adopted: