
Grievance Procedure

1003.1 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 communication between employees and supervisors.

1003.1.1 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

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

Specifically outside the category of grievance are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding 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 as set forth in the Personnel Complaint Policy.

1003.2 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, either verbally and or in writing.
- (b) When a complaint or problem arises, it shall be brought to the attention of the immediate supervisor by the employee involved as soon as possible. Should the employee fail to bring his complaint or problem to the attention of the supervisor within three (3) working days of the date of the action or incident causing his complaint, it shall be considered as a waiver by the employee of his right to submit the complaint.
- (c) The supervisor must take action on the complaint and notify the complainant of his action or decision within three (3) working days from the date the complaint was submitted.
- (d) If the matter is one which can be adjusted by the immediate supervisor to the satisfaction of the employee, this shall terminate the complaint.
- (e) If the matter cannot be adjusted or settled by the immediate supervisor within three (3) working days from the date of submission, or if the complainant is still dissatisfied

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after the decision of the immediate supervisor, he/she may submit his/her complaint to the Police Chief. The complaint must be submitted to the Police Chief within three (3) working days from the date of the supervisor's decision or the complaint shall be terminated.

- (f) The Police Chief shall confer with the complainant, the supervisor and such other persons as may be necessary to gather all the facts and to find a solution. He/she must take action and notify the complainant of his/her action or decision within five(5) working days from the date the complaint was submitted.
- (g) If the complainant is not satisfied after informal discussions and the Police Chief's decision, he/she may, within ten (10) calendar days of the date of the Police Chief's decision, request in writing a meeting with the City Manager. Failure of the complainant to make such a request within the ten (10) day period shall terminate the complaint.
 - 1. The employee should submit in writing a written statement of the grievance to 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.
- (h) Upon receiving the written request, the City Manager shall within seven (7) calendar days, discuss the complaint or problem with the complainant, his/her representative, if any, and all principals involved for the purpose of resolving the complaint or problem.
- (i) The City Manager may make or cause to be made any inquiry, investigation or compilation of facts he deems necessary to assist him/her in reaching a decision.
- (j) The City Manager shall render a decision in writing to the complainant with a copy to the Police Chief within fourteen (14) calendar days of the date the complainant's written request was received. The decision of the City Manager shall be final.

1003.3 EMPLOYEE REPRESENTATION

Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

1003.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administration 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.

1003.5 GRIEVANCE AUDITS

The Training Supervisor shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate

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to avoid future filings of grievances. The Training Supervisor shall record these findings in a confidential and generic memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Training Supervisor should promptly notify the Chief of Police.