

INTRODUCTION

The City of Taft believes that each employee should be treated with consideration and in good faith.

At the same time, however, the City realizes that individual employees may occasionally experience dissatisfaction with job conditions, requirements or relationships in the daily performance of assigned duties or with the administration of municipal policies.

To promote understanding among employees and to assure an amicable solution to employee difficulties, the City had developed a Grievance Policy to evaluate complaints, suggestions and comments concerning interpretation of City policy and municipal working conditions.

A. OBJECTIVES

To informally settle disagreements at the employee-supervisor level;

To provide, if necessary, an orderly procedure to handle the grievance through each level of Supervision;

To correct, if possible, the cause of the grievance to prevent future complaints;

To promote harmonious relations among employees and their supervisors;

To assure fair and equitable treatment of all employees;

To, resolve grievances at the departmental level before appeal to higher levels.

B. DEFINITIONS

1. Grievance: A complaint by a non-probationary employee, alleging a violation of the MOU, Rules and Regulations or policies governing personnel practices, working conditions or discipline.

2. Day: Calendar day, exclusive of Saturday, Sunday and City Holiday.

3. Employee: Any non-probationary employee of the City of Taft.

4. Immediate Supervisor: The person who assigns, reviews, or directs the work of an employee.

5. Superior: The person whom an immediate supervisor reports.

6. Representative: A person who appears on behalf of the employee.
7. Department Head/Appointing Authority: The officer or employee having charge of the administration of a department of the City of Taft.

C. TIME LIMITS

Time limits are established to settle grievances quickly. Time limits may be extended by agreement of the parties. If the grievant is not satisfied with the decision rendered, it shall be the grievant's responsibility to initiate the action which submits the grievance to the next level of review within the time limits specified. Failure of the employee to submit the grievance within the limits imposed shall terminate the grievance process, and the matter shall be considered resolved. Failure of the City to respond within the time limits specified will allow the grievant to submit the grievance to the next higher step of the grievance procedure.

D. THE PARTIES RIGHTS AND RESTRICTIONS

1. An employee may have a representative present at all steps of the grievance procedure.
2. Reasonable time in processing a grievance will be allowed during regular working hours.
3. Only a person selected by the employee from within a recognized employee organization (union steward or union representative), and made known to management prior to a scheduled grievance meeting, shall have the right to represent or advocate as an employee's representative.
4. Nothing within this grievance procedure shall be construed as limiting the right of management to manage the affairs of the City.
5. Grievances of an identical nature concerning the same subject matter, may be consolidated.

E. INFORMAL GRIEVANCE DISPOSITION

1. Within twenty (20) days from the occurrence of the issue that gave rise to the complaint, or within twenty (20) days from the employee's knowledge of the occurrence, an employee will promptly and informally meet to discuss the complaint with his immediate supervisor. In those circumstances where the nature of the complaint involves the immediate supervisor, the employee may informally discuss the complaint with the

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next higher level of supervision provided prior notification is given the immediate supervisor by the employee. Such initial discussion shall precede the use of the formal grievance procedure. If the supervisor fails to reply to the employee within five (5) days of the meeting, either verbally or in writing, or if the employee is not satisfied with the decision, the employee may utilize the formal grievance procedure.

F. FORMAL GRIEVANCE PROCEDURE

Step 1. The grievance form and any supporting documents shall be delivered to the supervisor with whom the informal meeting was held, no later than five (5) days from receipt of the supervisor's informal response or within ten (10) days from the close of the informal meeting if no decision is rendered. The formal grievance procedure shall be initiated by the employee, stating the nature of the grievance, the alleged violation by section or number, if any, and the desired solution, in writing on the grievance form, together with any supporting documents attached to the grievance form.

The supervisor shall hold a formal meeting with the employee within five (5) days of the receipt of the formal grievance to review the facts, gather all supporting documents, discuss the complaint and desired solution, and discuss the proper appeal procedure.

The supervisor will issue a written decision on the grievance within five (5) days of the close of the formal meeting.

Step 2. If the employee feels the immediate supervisor has not resolved the grievance, the employee may appeal to the next higher level of supervision. At this time, all supporting documents and evidence relative to the grievance shall be included with the appeal and made known to both parties. The person occupying the next higher level of supervision (identified by the department), together with the department head, shall hold a formal meeting with the employee and his representative, if requested, within ten (10) days from the date of the appeal receipt, and attempt to settle the grievance.

A decision shall be made in writing on the original grievance to the employee by the department head within ten (10) days from the close of the formal meeting.

Step 3. If the employee is not satisfied with the decision of the department head, he may appeal the decision to the City Manager within five (5) days from receipt of the department head's decision.

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The City Manager will review the original grievance, all supporting documents, the department head's response, and the remedy requested, and issues a written decision within fifteen (15) days of receipt of the grievance.

If the employee is not satisfied with the decision of the City Manager, the employee may submit the grievance to arbitration by written request to the City Manager within (5) days. Within five (5) days of receipt of the grievant's request, the City Manager shall set a date for a meeting to:

- 1) Attempt to settle the grievance.
- 2) Agree to any stipulation.
- 3) Agree upon the issue statement.
- 4) Select an impartial arbitrator.

G. SELECTION OF THE ARBITRATOR

If the parties fail to agree on an arbitrator, a list of five (5) neutrals will be jointly requested from either the Federal Mediation Services, the State Mediation and Conciliation Service, or the American Arbitrator's Association. The agency will be mutually selected.

The parties shall select a neutral by alternatively striking a name from the list with the remaining name being the selected neutral. Should both parties agree that the first list submitted is unsatisfactory; the parties may request a second list.

The arbitration procedure will be informal and private. The arbitration procedure shall not be bound by any of the rules of evidence governing trial procedure in State courts.

The arbitrator will now have the power to add to, subtract from, or otherwise modify the provisions of any MOU, Rules, Regulations, or Ordinances of the City of Taft.

The arbitrator will confine himself or herself to the issue submitted.

The arbitrator's decision will be advisory to the City Council and the grievant. Any costs associated with witness fees, transcriptions, or special council shall be borne by the requesting party.

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The arbitrator shall be requested to submit his or her decision within thirty (30) days from the close of the hearing.

CONCLUSION

Employees of the City of Taft electing to pursue grievances under provisions of the City's Grievance Policy shall be free of harassment by fellow employees, supervisors and the administration and shall in no way affect their present or future employment status.