



Grievances Policy 5.25

Board Approval Date: 02-08-2000

Supersedes Policy Dated: 06-23-1987

Policy

The County of Winona wishes to address employee grievances by providing standard procedures for their resolution.

Definition

Grievances are disputes or disagreements as to the interpretation or application of the specific terms and conditions of a labor agreement or County policies. Grievances may be filed by any employee regardless of whether or not the employee is a member of an employee organization.

Handicapped and EEO Grievances

Grievances alleging discrimination with regard to handicapped status and other Equal Employment Opportunity complaints are filed with the Personnel Officer.

Limitations

An employee who commences a grievance proceeding under the provisions of a collective bargaining union is not allowed to grieve the same issue a second time under these rules. Similarly commencement of a grievance proceeding under these rules shall preclude the employee from grieving the same issue under a collective bargaining agreement.

Step I:

An employee having a grievance should present the grievance to his/her immediate supervisor within seven calendar days after the event causing the grievance. The employee may be accompanied by counsel of his/her choice. It is the responsibility of the supervisor to investigate the grievance, discuss it with the employee and give an oral answer to the employee within five working days from the time the grievance was initially presented. In such cases where there is not a supervisor between the employee and the Department Head, the grievance shall be presented directly to the Department Head as set forth in Step II.

Step II:

A grievance not resolved in Step I may be appealed to Step II. The grievance should be presented to the Department Head in writing. Included should be:

1. The nature of the grievance;
2. The facts on which the grievance is based;



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3. The policy or rule allegedly violated;
4. The remedy requested.

The Step II grievance should be presented to the Department Head within fourteen calendar days from the time of the supervisor's response.

The Department Head should:

1. Investigate the grievance;
2. Discuss it with the employee;
3. Give a written answer to the employee within five working days following the meeting with the employee.

Step III:

A grievance not resolved in Step II may be appealed to Step III. The grievances should be presented in writing to the County Administrator within fourteen calendar days from the time of the Department Head response. The grievance should include:

1. The nature of the grievance;
2. The facts on which the grievance is based;
3. The policy or rule allegedly violated;
4. The remedy requested.

The County Administrator, or his/her designated representative shall investigate the alleged violation, review the alleged violation with the County Board, and present the decision to the employee, in writing, within twenty calendar days following the receipt of the appealed grievance.

Employee Representation

Employees and their counsel, if a County employee, should be paid by the County at their regular rate of pay for the time reasonably spent resolving a grievance during the ordinary work day.

Appeals Procedure

If the employee complaint cannot be satisfactorily resolved in the three steps of the Grievance procedure, the Personnel Board of Appeals outlined in section 5.30 may be utilized.



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Time Limits

If the grievance is not presented in the time periods stated above, it is considered waved.

If a grievance is not appealed to the next step within the specified time limit, it is considered settled on the basis of the last answer.

If the proper authority does not answer a grievance within the time limits, the employee shall treat the grievance as denied and may immediately appeal the grievance to the next step.

The time limits is each step may be extended by mutual agreement of both parties.

Reprisals Prohibited

No employee will be disciplined for filing a grievance, or for giving testimony in the Personnel Board of Appeals Hearing.