

## SECTION 270 – GRIEVANCES

### 271 DEFINITION

A personnel rule grievance is a complaint alleging misinterpretation or misapplication of Personnel Commission rules.

### 272 EXCLUSIONS

Matters related to discipline (see Rule 260) are excluded from the grievance process.

### 273 GRIEVANCE PROCEDURE

A grievance must be submitted within ten (10) working days after the grievant first knew, or should have known, of the condition(s) upon which the grievance is based.

#### Step 1

- A. An employee shall discuss the grievance with his/her immediate supervisor in an effort to resolve the matter satisfactorily. The supervisor shall respond to the grievance within ten (10) working days. If the matter is one which can be resolved by the immediate supervisor to the satisfaction of the complainant, this shall terminate the grievance.
- B. Exceptions to this procedure are:
- 1) A grievance with an immediate supervisor, in which case the employee shall have the right to discuss the grievance directly with the next level of supervision
  - 2) A grievance in which the authority for effective resolution of the matter lies with a higher level of Supervision; the employee shall have the right to discuss the grievance directly with the higher level of supervision
  - 3) If after discussion and an effort to solve the problem at this level fails, the employee shall have the right and should be invited to go to the next level of supervision

#### Step 2

- A. If there is no satisfactory resolution in Step 1, the employee may submit the grievance in writing, within five (5) working days of the supervisor's response, on the *Employee Personnel Commission Rule Grievance* form (Appendix A), to the individual with whom the Step 1 discussion originated. The statement of grievance must be specific and must include pertinent dates, times, places, specific rule alleged to have been violated, remedy desired, and the date the Step 1 discussion was held.
- B. The *Supervisor Grievance Response* form (Appendix B) shall be completed and attached to the *Employee Personnel Rule Grievance* form within ten (10) working days.

#### Step 3

- A. If there is no satisfactory resolution to the employee's grievance, the employee submits the *Employee Personnel Commission Rule Grievance* form and the *Supervisor Grievance Response* form to the next level of supervision, up to and including the Chancellor or the Chancellor's designee, within five (5) working days. The *Supervisor Grievance Response* form shall be completed, within ten (10) working days, at each level of supervision at which a formal grievance conference is held.

#### **Step 4**

- A. If there is no satisfactory resolution to the employee's grievance, the employee submits the *Employee Personnel Commission Rule Grievance* form and the *Supervisor Grievance Response* form(s) to the Personnel Director within five (5) working days.

#### **Step 5**

- A. If the grievance is not resolved to the satisfaction of all parties and further action is desired, the matter shall be referred to the Personnel Commission, to be heard at the earliest possible meeting.
- B. Grievances referred to the Personnel Commission shall follow formal hearing procedures as applicable. (Ed. Code, §§ 88130, 88131.)
- C. Actions of the Personnel Commission shall be final as provided bylaw.