

SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL

GRIEVANCE PROCEDURE

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- A. It is the policy of the SCAA to ensure that employees' questions, grievances, and complaints arising from misunderstandings regarding the application of policies, procedures, and work rules, that inevitably develop in the day-to-day activities of public service, are promptly heard, answered, and action taken to resolve or clarify the particular situation.

Employees shall have the right to file a grievance without prejudice. No employee shall be disciplined, harassed, or treated unfairly in any manner as a result of filing a grievance or testifying in a grievance hearing, unless the employee gives false testimony.

A grievance is defined as a disagreement between an employee and management as to the interpretation or application of official County policies, state civil service laws, agency or departmental rules and regulations, or other disagreements relating to employment perceived to be unfair or inequitable.

- B. Election of Remedy: Nothing in this policy is intended to deny employees any right available at law to have redress to their legal rights, including the right to appeal to the State Personnel Board of Review where that body has jurisdiction, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or any court of competent jurisdiction. However, if the employee elects to file a grievance on a matter over which another appeals body also has jurisdiction, it is the employee's responsibility to meet the criteria for filing any appeals to the outside agency. Employees are encouraged, but not required, to first attempt to resolve issues internally before taking them to an outside agency.
- C. Settlement: Grievances shall be settled at the earliest possible step of the procedure. The employee must proceed through all steps of the grievance procedure in proper order and within the prescribed time limits, except as otherwise noted herein.

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- D. Group Grievance: Where a group of employees desires to file a grievance involving a situation affecting each employee in the same manner, one (1) employee selected by such group will process the grievance and all other employees shall sign the back of the grievance.
- E. Exceptions to Procedure: Where a grievance cites issues of law which the respondent (individual hearing the grievance) cannot address, the grievance shall be forwarded to the Prosecuting Attorney's Office or the County's Management Consultant for assistance before proceeding. All time limits set forth in this procedure shall be held in abeyance until a written response is received.
- F. Waiver of Time Limits: Time limits set forth in this policy may be extended by mutual agreement of the parties in writing.
- G. Representation and Witnesses: A grievant may have a representative (employee or non-employee) of the employee's choosing present at any step of the procedure, except Step 1. Employees and employee representatives shall not lose pay or benefits for time spent in grievance hearings. The expense of any legal representative(s) shall be borne by the party utilizing them. Witnesses may be called by either party. Management maintains the right to schedule witnesses for hearings.
- H. Forms: All grievances filed under this policy shall be in writing, and shall state the nature of the grievance, the date of the incident(s) giving rise to the grievance, the expected resolution, and the facts which affect the conditions of the grievance.
- I. Definition of Working Days: For the purpose of counting time under this policy, "working days" as used in this policy shall not include Saturdays, Sundays, or holidays.

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J. Health and Safety Grievances: Grievances relating to issues of health and/or safety shall be expedited through the steps of the procedure and shall be reported to the Sandusky County Personnel Office as soon as practical.

K. Grievance Steps:

Step 1. Immediate Supervisor/Department Head. An employee having a grievance shall file a complaint in writing with the employee's immediate Supervisor and/or Department Head. In order for a grievance to be recognized, it must be filed within five (5) working days from the date of the incident giving rise to the grievance. The immediate Supervisor and/or Department Head shall investigate the grievance and shall provide a solution or explanation in writing within five (5) working days following the date on which the grievance was submitted. In those situations where the SCAA is the employee's supervisor or the grievance involves a disciplinary suspension, the grievance shall be submitted directly to Step 2 of the Grievance Procedure.

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Step 2. Personnel Director. If the grievant is not satisfied with the response received from Step 1, the grievant may pursue the matter by presenting the original copy of the grievance and the solution or explanation from Step 1 to the Personnel Director along with a copy of the Step 1 response, within five (5) working days of the Step 1 answer. The Personnel Director shall schedule a meeting within ten (10) working days of receipt of the grievance. The employee may be accompanied by a representative of the employee's choosing, but if an employee representative is chosen, the grievant must notify the Personnel Director in advance of the hearing so that the employee representative may be relieved of duty to attend the hearing. The Personnel Director, after review and investigation of all matters of fact relative to the grievance, shall issue a decision in writing, within five (5) working days following the meeting.

Step 3. SCAA. Where the grievant is not satisfied with the Step 2 response, the grievant may submit the original grievance along with all responses to the SCAA within five (5) working days of the receipt of the Step 2 answer. The SCAA or designee will review the grievance and the responses within a reasonable period of time following the day the grievance is received. If the SCAA or designee determines that the responses were adequate and proper, the grievant will be so informed by letter. The SCAA or designee's decision shall be final and binding on the parties.

If the Appointing Authority or designee determines the previous responses to be inadequate or improper, or if sufficient evidence appears on its face to warrant a meeting, the SCAA may schedule a meeting with all parties involved within a reasonable period of time and attempt to resolve the matter.

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Following the meeting, the SCAA shall issue a written decision.

Responses should always be based on sound management principles and logical thought. When possible, references should be made to County or departmental policies upon which the decision is based. Where the proposed relief granted requires formal action by the SCAA or involves a matter reserved to the SCAA or other official by law, the resolution will not be final until the SCAA or official approves such relief.