

HARBOR-UCLA MEDICAL CENTER

SUBJECT: GRIEVANCE POLICY AND PROCEDURE

POLICY NO. 207

PURPOSE:

To provide a prompt, equitable method for the resolution of a workforce member’s grievance.

POLICY:

A workforce member’s grievance shall be addressed by management without discrimination, coercion, restraint, or reprisal against any workforce member submitting a formal grievance.

General employee relations procedures for employees represented by bargaining units are included in all Memoranda of Understanding (MOU’s). Managers and supervisors are encouraged to consult and follow the appropriate MOU when handling a grievance submitted by a represented employee.

Grievances submitted by non-represented employees will be reviewed with the same concern and expedition as grievances submitted by represented employees.

DEFINITIONS:

Grievance: A grievance is a formal written complaint concerning interpretation or application of rules and regulations governing personal practices or working conditions in which an informal verbal complaint has not been resolved satisfactorily between a workforce member and his/her immediate supervisor.

Workforce Member: A workforce member is either County or Non-County, and include employees, contract staff, affiliates, volunteers, trainees, students, and other persons whose conduct, in the performance of work for DHS is under its direct control, whether or not they receive compensation from the County.

Business Days: Calendar days exclusive of Saturdays, Sundays and legal holidays.

Waivers and Time Limits: Failure by Management to reply to the workforce member’s grievance within the time limits specified automatically grants to the workforce member the right to process the grievance to the next level.

EFFECTIVE DATE: 01/01/83

SUPERSEDES:

REVISED: 10/92, 5/98, 8/02, 5/14, 6/17

REVIEWED: 8/86/ 9/89, 10/92, 2/96, 5/98, 2/02, 8/02, 10/04, 8/07, 1/11, 5/14, 6/17

REVIEWED COMMITTEE: N/A

APPROVED BY:

Kim McKenzie, RN, MSN, CPHQ
Chief Executive Officer

Anish Mahajan, MD
Chief Medical Officer

Patricia Soltero Sanchez, RN, BSN, MAOM
Chief Nursing Officer

Signature(s) on File.

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Any level of review, or any time limits established in this procedure, maybe waived or extended by mutual agreement confirmed in writing. If a workforce member fails to appeal from one level to the next level within the time limits established in this grievance procedure, the grievance shall be considered settled on the basis of the last decision and the grievance shall not be subject to further appeal or reconsideration.

PROCEDURE:

Grievances will be heard, at the first level by the immediate supervisor; at the second level by the Department Head; and at the third level by the Chief Executive Officer, the Chief Operating Officer or Designee. Managers designated as Administrative Hearing Officers will review pertinent documentation and consult with Human Resources (HR) Administration as part of the decision-making process.

FIRST LEVEL HEARING:

A workforce member will submit, in writing, a grievance to his/her immediate supervisor. The immediate supervisor is to provide a copy of the grievance to HR Administration as soon as possible. The supervisor may respond to the first level grievance in writing, or the supervisor may hear the grievance by scheduling a meeting with the workforce member. If a meeting is held, the employee has the right to representation, and the supervisor may include a representative from HR Administration. The supervisor's response will be written on the original grievance form, the form returned to the workforce member within the time frames outlined in the appropriate MOU, and a copy sent to HR Administration. If the grievance is not resolved at the first level, the workforce member may submit the grievance to the second level.

SECOND LEVEL HEARING:

If the workforce member elects to advance the grievance to the second level, s/he will submit the written grievance to the Department Head. The Department Head will provide a copy of the grievance to HR Administration as soon as possible, schedule the second level grievance meeting, and serve as the Hearing Officer at the grievance meeting. The workforce member has the right to representation, and the Department Head may include a representative from HR Administration. The Department Head will enter a written response on the original grievance form, return the grievance to the workforce member within the time frames outlined in the appropriate MOU, and send a copy of the completed form to HR Administration. If the grievance is not resolved at the second level, the workforce member may submit the grievance to the third level.

THIRD LEVEL HEARING:

If the workforce member elects to advance the grievance to the third level, s/he will submit the grievance to HR Administration.

Human Resources Administration and Hospital Administration will coordinate the assignment of the grievance to an Administrative Hearing Officer, and scheduling of the third level grievance hearing.

The Administrative Hearing Officer will chair the meeting attended by the employee and a representative from Human Resources Administration. The workforce member has the right to a representative at the hearing.

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The Administrative Hearing Officer's written response will be returned to the workforce member within the time frames outlined in the appropriate MOU. If the grievance is not resolved, the workforce member has the right to advance the grievance for arbitration to the Employee Relations Commission (represented employees) or Superior Court (non-represented employees). Consult with HR Administration for instructions regarding grievances that are advanced beyond Step 3 of the grievance process.

REFERENCES

Los Angeles County Code Section 5.04.230

DHS Policy 770, Grievances

Joint Commission (Management of Human Resources)

AUTHORITY

Memoranda of Understanding, Los Angeles County Administrative Code