



Rancho Los Amigos National Rehabilitation Center

ADMINISTRATIVE POLICY AND PROCEDURE

SUBJECT: EMPLOYEE GRIEVANCES

Policy No.: A247
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PURPOSE:

To provide a prompt equitable method for the resolution of a workforce members' grievance.

POLICY:

Employee grievances shall be addressed by management without discrimination, coercion, restraint or reprisal against any employee submitting a formal grievance.

DEFINITION:

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

Workforce Member: A workforce member is a County employee.

Supervisor: The supervisor who routinely assigns, inspects work of, signs timecard for, and prepares Performance Evaluations on the grieving employee.

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

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

Any level of review, or any time limits established in this procedure, may be waived or extended by mutual agreement confirmed in writing. If an employee 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:

The grievance procedure shall be observed as outlined in the applicable MOU for represented employees. The Department of Health Services Grievance Procedure shall apply to non-represented employees.

Immediate supervisors handle formal grievances at the first level. Middle management handles second level grievances. Third-level grievances are submitted to administration/upper management and the Human Resources Employee Relations Division to be scheduled. Employee Relations is available to provide technical assistance/guidance at all levels.

GUIDELINES:

When filing a formal written grievance, the employee is encouraged to state clearly and concisely the specific action(s) being grieved, the MOU article(s) violated (if applicable) and the specific remedy requested. The employee may request a grievance form from the Human Resources Employee Relations Division or their union representative. The Department of Health Services grievance form is also available on the Rancho Intranet.

Step 1 -First Level Management

(First Line Supervisor)

- A. Within ten (10) business days from the occurrence of the matter on which a complaint is based or within ten (10) business days from his/her knowledge of such occurrence, an employee may submit a formal written grievance to their first line supervisor.
- B. Within ten (10) business days the immediate supervisor shall give a decision in writing to the employee on the original copy of the grievance.
- C. It is the employee's responsibility to move the grievance to the next level if applicable.

Step 2- Middle Level Management

(Usually the next manager in the chain of command or designated representative)

- A. Within ten (10) business days of receipt of the supervisor's written decision and using the returned original copy of the grievance form, the employee may appeal the decision to middle management.
- B. Within ten (10) business days of receipt of the employee's grievance, the middle management representative shall conduct a review of the grievance, meet with the parties involved, and shall give a written decision to the employee using the original copy of the grievance.
- C. It is the employee's responsibility to move the grievance to the next level if applicable.

Step 3 -Upper Level Management

(Usually the next manager in the chain of command or designated representative)

- A. Within ten (10) business days of receipt of the decision of middle level management, the employee may appeal to the upper level manager using the original copy of the grievance.
- B. Within ten (10) business days of receipt of the employee's grievance, the upper level manager or designated representative shall conduct a review of the grievance, shall meet with the parties

involved, and shall give a written decision to the employee using the original copy of the grievance.

C. It is the employee's responsibility to move the grievance to the next level if applicable.

On matters that are not subject to further appeal, the written decision of Upper Level Management or the designated representative shall be final.

REFERENCE: Department of Health Services- Policy No. 770
Los Angeles County Code- Section 5.04.230
Applicable Memoranda of Understanding

GLT:kh

EMPLOYEE'S NAME _____ JOB TITLE _____

FACILITY _____ DIVISION _____ SECTION _____

DESCRIPTION OF GRIEVANCE _____

REMEDY REQUESTED _____

I DISCUSSED THE PROBLEM WITH MY SUPERVISOR ON _____ DATE _____

TODAY'S DATE _____ SIGNATURE _____ EMPLOYEE _____

TIME LIMIT TO SUBMIT A WRITTEN GRIEVANCE IS 10 WORKING DAYS FROM IMMEDIATE SUPERVISOR'S VERBAL RESPONSE.

STEP 1 - IMMEDIATE SUPERVISOR DATE RECEIVED FROM EMPLOYEE _____

DECISION:

TITLE _____ SIGNATURE _____ DATE _____
RESPOND WITHIN 10 WORKING DAYS FROM DATE RECEIVED

STEP 2- MIDDLE LEVEL MANAGEMENT DATE RECEIVED _____

DECISION:

TITLE _____ SIGNATURE _____ DATE _____
RESPOND WITHIN 10 WORKING DAYS FROM DATE RECEIVED

STEP 3 -UPPER LEVEL MANAGEMENT DATE RECEIVED _____

DECISION:

TITLE _____ SIGNATURE _____ DATE _____

Table with 4 columns: GRIEVANCE RESOLVED AT STEP, EMPLOYEE'S SIGNATURE, MANAGEMENT REPRESENTATIVE'S SIGNATURE, EMPLOYEE REPRESENTATIVE'S SIGNATURE

INSTRUCTIONS

A copy of the departmental grievance procedure is available from your Personnel Office.

1. **REPRESENTATION:** You have the right to select a representative to assist in the preparation and presentation of your formal grievance.
A formal grievance is a written appeal from your supervisor's verbal decision.
2. **USE OF OFFICIAL TIME:** A reasonable use of County time is permitted to present your grievance.

Time Limits

- A. By observing the time limits, possible loss of the right to appeal your grievance further is avoided.
- B. Your failure to appeal any decision within the time limits established shall be considered as final settlement of your grievance on the basis of the last decision.
- C. Any level of review or any time limits established may be waived or extended by written mutual agreement.
- D. *Days* In this procedure refer to business days (Monday thru Friday) exclusive of holidays.
- E. If at any step in the appeal, you do not receive a reply to your written grievance within the time limits imposed upon supervision or management, you may automatically process your grievance to the next step in the appeal process.

Step 1 - Immediate Supervisor

Talk over or otherwise inform your immediate supervisor of your complaint. Your supervisor has the responsibility to discuss it and give an answer. If you are not satisfied with his answer, or you fail to receive an answer within the time limit, you have the right to file a formal written grievance.

Filing a Written Grievance: Fill out the top portion of the Grievance Form. The facts you state will be the basis for any review or decision on your grievance. State the settlement or remedy you desire. Give two (2) copies of the completed form to your immediate supervisor.

Step 2 – Middle Level Management

After receiving your supervisor's decision, you may appeal his decision to *middle level management* by submitting the original form returned to you by your supervisor. Your grievance will be discussed with you before a decision is reached. You will receive a written decision.

STEP 3– Upper Level Management

After receiving the *middle level manager's* decision, you may appeal to the *Deputy Director* by submitting the original form returned to you by the *middle level manager*. He or his designated representative will review the grievance, discuss it with you and your representative, and make a decision within 10 days.

If you are not satisfied with this decision, additional procedures may be available for further appeal of your grievance.