



CITY OF GREEN BAY PERSONNEL POLICY

Policy Title Grievance	Policy Reference Chapter 12
Policy Source Human Resources Department	Legal Review Date October 15, 2013
Personnel Committee Approval November 12, 2013	City Council Approval November 19, 2013

- 12.1 **Definition.** A grievance is defined as a dispute or misunderstanding regarding the interpretation or application of these policies or department work rules.
- 12.2 **Policy.** It is the policy of the City to treat all employees fairly and equitably in matters affecting their employment. Each employee who feels aggrieved has a right to present a grievance to appropriate management officials for prompt consideration and equitable decision. The filing of a grievance by an employee will not reflect unfavorably on the employee's standing, performance or loyalty and the employee should have no fear of reprisal.
- 12.3 **Procedure.** All regular employees not covered by a collective bargaining agreement that includes a grievance procedure may file a grievance under this policy. Such grievances will be handled as follows:
- 12.3.1 Prior to filing a written grievance, employees should discuss any problem or complaint with their immediate supervisor to see if settlement is possible. If the problem is not resolved, then the aggrieved party may file a written grievance with the department head, but not later than 10-work days from the date the grievant first became aware of the condition causing the grievance. The department head will respond in writing no later than 10-work days from the date the grievance was received.
- 12.3.2 If the grievance cannot be settled by the department head or designee, a request to hear that grievance may be submitted in writing to the Human Resources Director or designee within 10-work days from receiving the department head's decision. The meeting to discuss the grievance will be held at a mutually agreeable time. Following this meeting, the Human Resources Director will respond within 10-work days, in writing.
- 12.3.3 If the grievant is not satisfied with the Human Resources Director's response, the grievant may file an appeal for a hearing before an impartial hearing officer within 10-work days from receiving the Director's response. The appeal must be put in writing and filed with the Human Resources Department. The impartial hearing officer will be selected from a list of 3-hearing officers provided by the WERC. Any

costs for the impartial hearing officer's services will be borne equally by the parties. The grievant will strike the first name from the list and the city will strike the second name and the remaining individual will serve as the hearing officer. The grievant and the City may mutually agree to waive the hearing before an impartial hearing officer and advance the grievance to the Personnel Committee.

- 12.3.4 If either party is not satisfied with the decision of the impartial hearing officer, either party may file an appeal within 10-work days of the decision to the Personnel Committee and the Committee will hear the grievance at a mutually agreeable time. The decision of the Personnel Committee will be subject to final action by the City Council. The grievance process will be completed when the City Council takes its action.
- 12.4 Settlement. Any grievance will be considered settled at the completion of any step in the procedure if all parties concerned are mutually satisfied. Dissatisfaction is implied in recourse from one step to the next.
- 12.5 Applicable Law. The grievance procedure is at all times subject to applicable State law and appropriate court review, if any.
- 12.6 Employee Representation. An employee is entitled to a representative of their choice.