

# Grievance Procedure

## 1006.1 PURPOSE AND SCOPE

It is the policy of this Department that all grievances be handled quickly and fairly without discrimination against Members who file a grievance; whether or not there is a basis for the grievance. The philosophy of the Department is to promote respectful and productive verbal communication between Members and supervisors.

### 1006.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or the dispute involving the interpretation or application of any of the following documents by the person(s) affected:

1. The Member bargaining agreement (Memorandum of Understanding)
2. This Policy Manual
3. County rules & regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected Member or by a group representative.

Specifically outside the category of grievances are complaints related to alleged acts of sexual, racial, ethnic, or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background, and other lawfully protected status or activity. These complaints are subject to the complaint options set forth in Policy Manual § 328. Personnel complaints consisting of any allegation of misconduct or improper job performance against any Department Member shall be processed under the guidelines set forth in Policy Manual §1020.

## 1006.2 PROCEDURE

Except as otherwise required under a collective bargaining agreement, if a Member believes that he or she has a grievance as defined above, then that Member shall observe the following procedure:

1. Attempt to resolve the issue through informal discussion with immediate supervisor.
2. If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the Member may request an interview with the Commander of the affected Division or Bureau.
3. If a successful resolution is not found with the Commander, the Member may request a meeting with the Sheriff.
4. If the Member and the Sheriff are unable to arrive at a mutual solution, then the Member shall proceed as follows:
  - (a) Submit in writing a written statement of the grievance and deliver one copy to the Sheriff and another copy to the immediate supervisor and include the following information:

# Orange County Sheriff-Coroner Department

## Orange County SD Policy Manual

### *Grievance Procedure*

---

1. The basis for the grievance (i.e., what are the facts of the case?).
2. Allegation of the specific wrongful act and the harm done.
3. The specific policies, rules or regulations that were violated.
4. What remedy or goal is being sought by this grievance.
5. The Member shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.
6. The Sheriff shall receive the grievance in writing. The Sheriff and the Board of Supervisors shall review and analyze the facts or allegations and respond to the Member within 14 calendar days. The response shall be in writing, and shall affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the Board of Supervisors is considered final.

#### **1006.3 MEMBER REPRESENTATION**

Members are entitled to have representation during the grievance process. The representative may be selected by the Member from the appropriate Member bargaining group.

#### **1006.4 GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Professional Standards for inclusion into a secure file for all written grievances. A second copy of the written grievance shall be maintained by the Board of Supervisors' office to monitor the grievance process.

#### **1006.5 GRIEVANCE AUDITS**

The Professional Standards Division Commander shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Commander shall record these findings in a confidential and generic memorandum to the Sheriff without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Commander should promptly notify the Sheriff.