

S. EMPLOYEE GRIEVANCE PROCEDURE

GENERAL POLICY

It is the policy of Scott County to treat all employees equitably and fairly in matters affecting their employment. Each employee will be provided ample opportunity to understand and resolve matters affecting his/her employment which the employee believes are unjust. The grievance procedure established in this policy shall be available to all regular County employees not covered by a collective bargaining agreement and who have completed their initial probationary period with the County. Employees shall have the right to present grievances without fear of reprisal.

SCOPE

This policy is applicable to the following:

All employees responsible to the Scott County Board of Supervisors;

All employees responsible to a county elected office holder providing the appropriate elected office holder and the Board of Supervisors have certified its applicability;

All employees not directly responsible to either the Board of Supervisors or an elected office holder and whose governing body and the Board of Supervisors has certified its applicability.

Whenever the provisions of this policy are in conflict with the Code of Iowa the provisions of the Code of Iowa will prevail.

DEFINITION OF A GRIEVANCE

The following are matters which may be grieved under this policy:

1. Alleged unjust application of discipline.
2. Alleged discrimination pursuant to Human Resources Policy EE.

NOTE: For a complaint of this nature, an employee has the option of utilizing this grievance procedure or following the EEO complaint procedure established in Policy B. The employee may not file under both procedures.

3. Alleged unfair application, interpretation or violation of the rules and regulations of the County or one of its departments or offices.

GRIEVANCE PROCEDURE

Any grievance of an employee shall be handled in accordance with the following procedure:

Step 1. An employee shall discuss any alleged violation with her/his immediate supervisor within seven calendar days following its occurrence (or within seven calendar days from the date the employee should have had knowledge of its occurrence) in an effort to resolve the problem in an informal manner. The immediate supervisor shall respond verbally no later than seven days after the initial discussion. The County favors communication between supervisors and employees in order to resolve workplace concerns promptly. In an attempt to resolve employee disputes promptly, alternative dispute resolution efforts may be requested through the Human Resources Department. Every effort should be made to resolve the grievances at Step 1.

Step 2. If the Step 1 response fails to resolve the matter, the aggrieved employee may present the grievance in writing to the department head within seven days following receipt of the Step 1 response. Within seven calendar days following receipt of the grievance, the department head will answer the grievance in writing.

Step 3. In the event the official's answer in Step 2 fails to resolve the employee's grievance, the employee may, within seven calendar days following receipt of the answer in Step 2, present the grievance in writing to the County Administrator. Within 10 calendar days following the County Administrator's receipt of the written grievance, the County Administrator (or his/her designee) shall meet with the interested parties to more fully discover the facts related to the complaint. Within 10 calendar days following said meeting, the County Administrator (or his/her designee) shall answer in the grievance in writing. However the parties may mutually agree to request the services of a mediator to assist in the resolution of the grievance prior to the Employer's Step 3 answer.

Step 4. If the County Administrator's decision does not satisfy the employee's grievance, the employee may, within 10 calendar days following date of the answer at Step 3, present the grievance in writing to the Scott County Board of Supervisors. The Board shall arrange to meet within 30 calendar days following receipt of the grievance with the employee and the official against whom the grievance is filed. Within 10 calendar days following the meeting, the Board shall issue a written decision. The Board's decision shall be final and binding.

FAILURE TO APPEAL

If a grievance is not presented within any of the time limits specified in this grievance procedure, the employee's grievance shall be considered waived and the employer's last answer shall be final and binding.

ADMINISTRATIVE PROCEDURES

1. All suspension and discharge grievances shall commence at Step 3 of the grievance procedure, and must be filed in writing no later than seven days following receipt of written notice of such disciplinary action.
2. The employee may be accompanied or represented by counsel at each step of the grievance procedure, if the employee so desires. Any costs incurred by the employee by outside counsel shall be the responsibility of the employee, regardless of the outcome of any decisions at any step of the process.
3. All grievances must specify explicitly the problem, including relevant names, dates, etc.; why the preceding response by management or supervision did not reasonably resolve the problem; and the requested remedy to the problem.
4. An employee shall not have access to this grievance procedure during her/his initial probationary period with the County.