

County Proposal – Unit 19
August 11, 2022

19.3 Grievance Steps

Step 1. Informal Discussion

An employee who believes that he/she/~~they~~ ~~have~~ ~~has~~ a grievance shall discuss his/her complaint with his/her ~~the employee's~~ immediate supervisor (or such management official designated by the department head within fifteen (15) calendar days of the incident or occurrence. This meeting shall be held in an effort to resolve the grievance informally. The immediate supervisor/management official shall have ten (10) calendar days from the date of the informal discussion to respond to the employee. If an agreement is reached to resolve the issue, the supervisor will confirm the outcome in writing.

If the management official's response does not resolve the grievance, the employee has ten (10) calendar days from the management official's response date to file the grievance in writing with the department head or his/her ~~the department head's~~ designee. If the management official fails to respond, the employee has ten (10) calendar days from the date the management official's response was issued to file the grievance in writing with the department head or his/her ~~the department head's~~ designee.

Step 2. Department Head and/or Designated Representative

The department head or his/her designated representative will meet with the grievant and his/her ~~the grievant's~~ Union representative and shall provide a written response to the grievant within twenty-one (21) calendar days of having received it.

If the grievance is not resolved within the department, ~~the employee or~~ the Union shall have the right to appeal the grievance to the Human Resources Director, in writing, within fifteen (15) calendar days of the response made at Step 2. Notwithstanding this procedure, all complaints involving or concerning the payment of compensation shall be in writing to the Director of Human Resources or his/her ~~the Director's~~ designee with a copy to the department head. A grievance shall be initiated in writing on the Solano County Grievance Form.

Step 3. Director of Human Resources

Any ~~employee or any~~ official of the Union may notify the Director of Human Resources, or his/her ~~the Director's~~ designee, in writing that a grievance exists stating the particulars of the grievance and, if possible, the nature of the determination desired. The Director of Human Resources, or his/her ~~the Director's~~ designee, shall have twenty-one (21) calendar days in which to investigate the issues, meet with the complainant and attempt to reach a satisfactory resolution of the problem. No grievance may be processed under Step (4) or Step (5) below which has not first been filed and investigated in accordance to Step (3).

Step 4. Mediation

If the parties are unable to reach a mutually satisfactory accord on any grievance which arises and is presented during the term of this Memorandum of Understanding, the moving party shall have twenty-one (21) calendar days to request in writing that the grievance be submitted to mediation.

The mediator shall be selected by mutual agreement from a list provided by the State Mediation and Conciliation Service.

The recommendation of the mediator shall be advisory only.

The mediator shall not issue any public statement or fact or opinion in the matter in question.

The mediator's recommendation shall neither be made public nor be introduced into any other grievance level by the other party.

Either party may appeal the recommendation of the mediator to arbitration.

Step 5. Arbitration

If the grievance is not resolved at Step 4, either the Union or the County may require that the grievance be referred to an impartial arbitrator who shall be designated by mutual agreement between the Union and the Director of Human Resources or ~~his/her~~ the Director's designee.

In the event that parties are unable to agree on an arbitrator, the parties shall solicit from the State Mediation and Conciliation Service a list of seven (7) arbitrators.

After the receipt of the list and following a toss of coin to determine which party shall strike first, the parties shall alternatively strike arbitrator's names from the list until one (1) arbitrator's name remains.

The fees and expense of the arbitrator and of a Court Report shall be shared equally by the Union and the County. Each party, however, shall bear the cost of its own presentation, including preparation and post hearing briefs, if any. The request for arbitration shall be made in writing within twenty-one (21) calendar days following

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