

GRIEVANCE PROCESS

PURPOSE: To provide a formal method that allows employees to resolve their grievances with management fairly and expeditiously. A grievance process can help to reduce employee dissatisfaction, improve morale, and identify problems in the organization.

POLICY: It is the policy of the Jacksonville Police Department to encourage employees to bring to the attention of management their concerns about work-related situations. Employees will be provided an opportunity to present their complaints through a formal grievance process. No employee will be discriminated against, harassed, intimidated, or suffer any reprisal for filing a grievance.

Management decisions on grievances will not be precedent setting nor binding on future grievances unless they are officially stated in the City of Jacksonville Policies and Procedures Manual or Department policies. When relevant, the decisions will be retroactive to the date of the employee's official complaint.

PROCEDURES:

I. GRIEVANCE PROCESS

- A. A grievance is any dispute, controversy, or difference of opinion the employee feels affects their health, safety, welfare, or mutual respect and arises out of an act or omission by the Department relating to the employee's working condition or employment status. It must be within the control of the Department. It may also include treatment that the employee has received from other employees of this Department they feel is wrong, unfair, or contrary to established procedures.
- B. Matters that are non-disputable include, but not limited to:
 - 1. Disciplinary actions;
 - 2. Performance evaluations;
 - 3. Complaints of discrimination or harassment based on EEOC issues; or
 - 4. Salaries and economic benefits.
- C. Appeals for disciplinary actions resulting in suspension, demotion or termination are mandated by A.C.A. §14-51-301 et. seq. and the Jacksonville Civil Service Commission Rules and Regulation.
- D. Complaints related to EEO issues are covered in the City of Jacksonville Policies and Procedures Manual which authorizes submission of such complaints to the City's EEO Officer(s).
- E. Employees may be accompanied by a Police Department employee of their choice while presenting the grievance at any or all levels.
- F. All grievances will be submitted in writing on a Personnel Grievance Request Form (JPD Form 5-13) and must include:
 - 1. A statement from the grievant with the facts upon which the grievance is based,
 - 2. The allegation of the specific wrongful act and harm done, and
 - 3. A statement of the remedy or adjustment sought
- G. Written statements of grievances shall be submitted to the employee's immediate supervisor within seven (7) days of the incident about which the employee is aggrieved or within seven (7) days of the point at which the employee became, or should have become, aware of the situation.

- H. The immediate supervisor will answer the grievance presented by the employee, in writing on the grievance form or attachment, within seven (7) days of receipt.
- I. If the immediate supervisor fails to resolve the grievance, the employee may submit the written grievance report to their next level of supervision, within seven (7) days of receipt of the answer from the immediate supervisor.
- J. Each involved supervisor, in the employee's chain of command, will furnish a written reply to the employee within seven (7) days after receiving the written grievance. This procedure continues through each level of supervision.
- K. If an employee's grievance alleges that they were aggrieved by one or more of the supervisors in their chain of command; the grievance process will skip that supervisor. The particular section of the Personnel Grievance Request Form (JPD Form 5-13) for that supervisor may simply be skipped, with the next uninvolved supervisor noting the reason for the omission.
- L. If the aggrieved employee does not agree to a resolution with any supervisors through the Division Commander, the employee may submit an appeal to the Chief of Police.

II. APPEAL

- A. The appeal must be submitted to the Chief of Police within seven (7) days of return from the Division Commander.
- B. The Chief of Police will meet with the aggrieved employee and the supervisor(s) in the employee's chain of command. Adequate notice will be given and the employee must attend the conference.
- C. The decision will be documented and delivered to the aggrieved employee within seven (7) days of the conference and will be final.
- D. If the employee refuses or fails to attend the conference as requested or obstructs the grievance process in any way, they will be deemed to have failed to employ or exhaust the grievance process as provided by the Jacksonville Police Department. The employee has no further right of appeal after a decision is rendered by the Chief of Police.

III. RESOLUTION

A grievance may be resolved at any level of the employee's chain of command, with the agreement of the employee. If such resolution occurs, the supervisory employee at the level of resolution and agreement must notify the employee's chain of command. The grievance documents will be forwarded through chain of command to the Chief of Police for his review.

IV. RESPONSIBILITY FOR MAINTENANCE AND CONTROL OF GRIEVANCE RECORDS

The Office of Professional Standards (OPS) will be responsible for coordination of the grievance procedures and for maintenance and control of grievance records.



Brett C. Hibbs
Chief of Police