

Grievances

1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the filing and processing of employee grievances.

1003.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion regarding the meaning, interpretation, or application of any of the following:

- A Memorandum of Understanding
- This Policy Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct under the Personnel Complaints Policy

Exclusions:

- 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 that are subject to the complaint options set forth in the Discriminatory Harassment Policy.
- Personnel complaints regarding any allegation of misconduct or improper job performance against any office employee that, if true, would constitute a violation of office policy, federal, state or local law, as set forth in the Personnel Complaints Policy.
- Performance ratings, unless the overall rating is less than satisfactory.
- Non-selection for a position or for promotion from a group of properly ranked and certified candidates
- A supervisor's determination of the job responsibilities and performance standards of an employee's position, including position descriptions.
- A Division Commander's determination of an employee's work schedule
- Withholding a merit increase due to less than satisfactory performance
- Suspension with pay

1003.2 POLICY

It is the policy of the St. Mary's County Sheriff's Office to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint or retaliation against any employee who submits or is otherwise involved in a grievance.

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1003.3 PROCESS

Grievances may be brought by an individual employee or by an employee group representative. Employees may have representation during the grievance process.

Except as otherwise required under a Memorandum of Understanding, if an employee believes that he/she has a grievance as defined above, that employee shall:

- (a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request through the Chain of Command, a meeting with the appropriate Division Commander.
- (c) If a successful resolution is not found with the Division Commander, the employee may proceed as follows:
 1. Complete a Blue Team Grievance Report and forward via the chain of command to the Assistant Sheriff and the Sheriff.
 2. Include the following information in the written statement:
 - (a) The basis for the grievance (i.e., the facts of the case).
 - (b) The allegation of any specific wrongful act and harm done.
 - (c) The specific policies, rules or regulations at issue.
 - (d) The remedy or goal being sought by the grievance.
- (d) Blue Team routing procedures will serve as a signed acknowledgment of the grievance by the employee's chain of command.
- (e) The Major and the Sheriff should review the grievance and respond to the employee within 14 calendar days.
 1. The response will be documented in the Blue Team report and will affirm or deny the allegations.
 2. The response shall include any remedies, if appropriate.
 3. The decision of the Sheriff is considered final.

1003.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the supervisor of the Office of Professional Responsibilities for inclusion into IAPro, a secure software system. Copies of the documents should also be sent to the Human Resources Department.

Once the report is entered into IAPro, the report and accompanying endorsements will be available to the employee and his/her supervisor via the EIPro software.

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1003.5 POLICY OR TRAINING IMPLICATIONS

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Policy Manual, a procedural change or an immediate training need, the employee should promptly notify the Sheriff via a Detail Report.

1003.6 GRIEVANCE AUDITS

The supervisor of the Office of Professional Responsibilities shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether any change in policy, procedure or training may be appropriate to avoid future grievances. The supervisor of the Office of Professional Responsibilities should record these findings in a confidential memorandum to the Sheriff no later than February 2nd of each year, without including any identifying information about any individual grievance.