



General Order 25.1 - Grievance Procedures

PURPOSE: Define grievance and complaint reporting procedures; describe responsibility for grievance and complaint procedures; define contents of grievance and complaints; describe handling grievances and complaints; describe appealing decisions made in grievances and complaints; define the grievance board; define grievance and complaint records; and describe review of grievance and/or complaints.

DATE OF APPROVAL: 10/20/09

DATE OF ISSUE: 11/13/09

EFFECTIVE DATE: 11/13/09

REVIEW DATE: Annual

AMENDS: 25.1.1, 25.1.3, 25.1.5, 25.1.6, 25.1.7

THIS ORDER CANCELS: 25.1 Approved 10/01/00

ISSUED BY : Sheriff Jeffrey Easter

REVIEWED BY: Standard Review Committee

INDEX AS:

[25.1.1 Grievance and Complaint Reporting Procedures](#)

[25.1.2 Responsibility for Grievance and Complaint Procedures](#)

[25.1.3 Contents of Grievance and Complaints](#)

[25.1.4 Handling Grievances and Complaints](#)

[25.1.5 Appeal Procedures for Complaints and Alternative Appeal Procedures of Investigative Decisions](#)

[25.1.6 Grievance Board](#)

[25.1.7 Grievance and Complaint Records](#)

[25.1.8 Review of Grievances and/or Complaints](#)

DEFINITIONS:

- A. Complaint: A job dissatisfaction not rising to the level of a grievance. Requires formal action on the part of a supervisor.
- B. **(R)** Grievance: A job dissatisfaction dealing with unpaid suspension, demotion, or dismissal.

25.1.1 GRIEVANCE AND COMPLAINT REPORTING PROCEDURES

- A. **(R)** A grievance, as defined above, is regulated by Sedgwick County Charter Resolution 60 and Civil Service policy 9.01, and reported as follows:
 - 1. The grievance must be submitted in writing.
 - 2. **(R)** In order to obtain a Civil Service hearing to contest a dismissal, unpaid suspension or demotion, the grievance must be submitted to the Civil Service Officer within fifteen (15) days after receiving notice of the dismissal, unpaid suspension or demotion.
- (R)
- 3. An employee must appear in person during a grievance hearing and may be accompanied by an attorney.
- B. Complaints involving harassment or discrimination of employees based upon their race, color, national origin, sex, age, religious or political affiliation, handicap, or status as a disabled or Vietnam-era veteran are handled as specified in Civil Service policies, section 1.03.
- C. **(R)** All other complaints are to be submitted in writing within fifteen (15) days and through the chain of command.
 - 1. Initial complaints of employees should be directed to the lowest level of supervision that the employee believes can remedy the perceived problem.
 - a. Complaints are to be sent through channels.

25.1.2 RESPONSIBILITY FOR GRIEVANCE PROCEDURES AND COMPLAINT PROCEDURES

- A. The Civil Service Board coordinates all grievance procedures.
- B. **(R)** Complaints alleging harassment or discrimination shall be handled as specified in Civil Service Policy 1.03.
- C. **(R)** The undersheriff coordinates all other complaint procedures.

25.1.3 CONTENTS OF COMPLAINTS

- A. Employees submitting complaints shall submit them in standard deputy's report format. The reports shall include:
 - 1. A statement of the complaint, and the facts upon which it is based;
 - 2. An allegation of the specific wrongful act and/or harm done; and
 - 3. A statement of the remedy or adjustment sought.

25.1.4 HANDLING GRIEVANCES AND COMPLAINTS

- A. **(R)** Grievances shall be handled as specified in Civil Service policy 9.01.

- B. **(R)** Complaints alleging harassment or discrimination shall be handled as specified in Civil Service Policy 1.03.
- C. **(R)** All other complaints shall be handled as follows:
1. Supervisors receiving complaints shall acknowledge receipt by noting time and date received on the complaint, along with the action taken, (e.g., forwarded, handled, etc.).
 2. Supervisors acting upon a formal complaint shall analyze the facts and/or allegations.
 3. Supervisors shall affirm or deny, in writing, the allegations in the complaint and identify the remedy or adjustments (if any) to be made.
 4. A copy of the supervisory answer shall be given to the complaining employee.
 5. The original complaint and answer shall be forwarded to the professional standards unit for review and filing.
 6. Prior to acting upon a formal complaint, a supervisor must decide if the complaint can be handled at that level of supervision by answering the following questions:
 - a. Who does the employee answer to?
 - b. Is the receiving supervisor responsible for correcting the situation?
 7. A supervisor may always refer a complaint to the next level of supervision if he/she is unsure how to proceed.
 8. A complaint may be handled by a supervisor that would be authorized to remedy the situation, if action would be warranted.
 - a. The supervisor handling the complaint shall notify his/her immediate supervisor as to the nature of the complaint and proposed action (if any).
 9. A supervisor's answer must be completed within thirty (30) days of receipt of the initial complaint.

25.1.5 APPEAL PROCEDURES FOR COMPLAINTS AND ALTERNATIVE APPEAL PROCEDURES OF INVESTIGATIVE DECISIONS

- A. **(R)** For complaints not alleging harassment or discrimination, the employee may appeal the complaint directly to the next higher level of supervision.
1. Such appeal is to be in written form and submitted within twenty-four (24) hours of receiving a supervisor's answer.
 2. An employee may also begin an appeal if a supervisor's answer (as specified in [Section 25.1.4](#)), is not supplied within forty (40) days of original submittal.
- (R)**

- B. **(R)** . Any oral response will be made at a time and place designated by the sheriff or review deputy, if appointed. Such time will be no later than seventy-two (72) hours after delivery of the notification.
1. The employee has no right to appear by or with an attorney to make an oral or written response.
 2. **(R)** A written notification of the disposition of the matter will be given to the employee requesting the appeal. A copy of the notification will be placed in the employee's personnel file in the administration office.

25.1.6 GRIEVANCE BOARD

- A. **(R)** Grievances are handled by the Civil Service Board. Composition, functions and criteria for appointment of members are regulated by Kansas statutes and Sedgwick County Resolution 60.
- B. **(R)** Any appeal of an action which resulted in an unpaid suspension, demotion, or termination will be addressed by the Civil Service Board through Civil Service Policies.
- C. **(R)** All other complaints that are not defined as a grievance will be handled via the chain of command rather than by the Civil Service Board.

25.1.7 GRIEVANCE AND COMPLAINT RECORDS

- A. **(R)** Formal grievances are recorded in the minutes of a Civil Service Board meeting. Said meetings are subject to the Kanas Open Meetings Act, K.S.A. 75-4317 et. seq. Certain records may be subject to the Kansas Open Records Act, K.S.A. 45-215 et. seq.
- B. Complaints and supervisory answers shall be kept on file by the professional standards unit.
1. Access to these files shall be limited to those supervisory personnel involved in review and/or analysis of complaints.

25.1.8 REVIEW OF GRIEVANCES AND/OR COMPLAINTS

- A. **(R)** Each year no later than January 31st., an analysis of the grievances and complaints received during the past twelve (12) months shall be made by the professional standards unit and presented to the sheriff.
- B. This analysis shall include, at a minimum:
1. Total number of grievances and complaints received during the past twelve (12) months;
 2. A quantifiable comparison between the present and preceding reports;
 3. Notation of any trend or common complaint; and
 4. Specific recommendations that could minimize the causes of any common complaint or trend so noted.

