

	TOWN OF PARADISE VALLEY Administrative Policy		
	Title: EMPLOYEE GRIEVANCES		Policy No. AP-12.1
Policy Owner: Gina Monger, Human Resources Director			
Approved By: Andrew Ching, Town Manager		Policy No. AP-12.1	
Authorized By: Chapter 12: Employee Grievances, Town Employee Handbook		Revision History: None	Effective Date: 06/23/2024

1. PURPOSE

This policy will provide further guidance for the administration of the provisions as authorized by *Chapter 12: Employee Grievances* of the *Town of Paradise Valley* (hereinafter referred to as the "Town") *Employee Handbook*.

2. APPLICABILITY

This policy applies to all classified and unclassified employees hired before July 8, 2023, as provided for in *Subsection 502: Unclassified Service, B.2.* of the *Town Employee Handbook*

3. GRIEVANCE

3.1. A grievance is an alleged violation of the Employee Handbook, an administrative policy, or a written work rule of the Town.

3.2. The following are not grievable matters under this policy:

3.2.1. The Town's right to direct its employees

3.2.2. The Town's right to hire, promote, transfer, assign, and retain employees

3.2.3. The Towns' right to manage Town operations, and to determine the methods, means, resources, and personnel by which these operations are to be conducted

3.2.4. The Town's employee benefits plans and provisions

3.2.5. Any examination, certification, or appointment

3.2.6. Any action related to classification or compensation

3.2.7. The contents of performance evaluation

3.2.8. Any reduction-in-force or layoff action or furlough

3.2.9. Any matter not subject to control of the Town government

4. PROCEDURE

4.1. Filing a Grievance

- 4.1.1. A grievance must be filed within 15 days of after the date the alleged violation occurred, or the date the grievant should became aware, or should have become aware of the issue giving rise to the grievance. The employee will utilize this 15-day period to informally bring about settlement. Parties are encouraged to include Human Resources throughout the grievance process.
- 4.1.2. If the issue is not resolved informally, the employee may submit a grievance to their immediate supervisor within the time period specified above. The Town may elect to use a grievance form to file and process complaints in accordance with this policy.
- 4.1.3. Any grievance submitted by an eligible employee must clearly state:

 - 4.1.3.1. A statement of the pertinent facts surrounding the grievance.
 - 4.1.3.2. The date upon which the incident occurred.
 - 4.1.3.3. A specific description of how each cited alleged violation has occurred.
 - 4.1.3.4. The steps taken to informally resolve the grievance, the individuals involved in the attempted resolution, and the results of such discussion.
 - 4.1.3.5. The requested remedy.
- 4.1.4. The grievance must be signed and submitted by the aggrieved employee.
- 4.1.5. The receiving supervisor will sign and date the grievance upon receipt.
- 4.1.6. Any grievance that does not contain all of the elements described in *Subsections 4.1.3. and 4.1.4.* will be considered incomplete and returned to the employee. If the grievance is resubmitted by the employee within the original 15-day filing period, the grievance will be accepted.

4.2. Step 1: Department Director

- 4.2.1. Within seven calendar days of receipt of the grievance by the supervisor from the employee, the department director will meet with the employee and discuss the grievance.
- 4.2.2. Within seven calendar days of the Step 1 meeting, the department director will issue a written decision regarding the alleged violations and the remedy sought. The written decision will also include the employee's right to appeal the decision to Step 2.
- 4.2.3. The timelines may be extended by the department director, if approved in writing by the Town Manager. The employee will be notified of any extension granted. Failure by the department director to meet the timelines without an authorized extension will result in the grievance automatically being advanced to Step 2.

4.3. Step 2: Town Manager

- 4.3.1. If the requested remedy is not granted at Step 1, the employee may appeal the decision to Step 2 in writing to Human Resources. The appeal to Step 2 must occur within seven calendars days following the receipt of the Step 1 decision.

4.3.2. Within 14 days of receipt of the Step 1 response, Human Resources will schedule a meeting with the employee and the Town Manager to discuss the grievance.

4.3.3. Within 14 calendar days of the Step 2 meeting, the Town Manager will issue a written decision regarding the alleged violations and the remedy sought. The decision of the Town Manager is final and is neither grievable nor appealable.

4.3.4. The timelines for Step 2 may be extended by the Town Manager/designee if the extension is provided to the employee in writing before the original deadline giving rise to the extension.

4.4. Resolution

If the Town provides the requested remedy or a mutually agreed-upon alternative, the grievance will be considered resolved and may not be moved to the next step.

4.5. Withdrawal of Grievance

4.5.1. Failure by the employee to submit a grievance or appeal a decision in accordance with this policy constitutes abandonment of the grievance. The grievance will be closed and no further action will be taken.

4.5.2. A grievance may be withdrawn at any time by written notice from the employee.

4.6. Records

Human Resources will maintain the records related to grievances filed under this policy in accordance with the state records retention schedule.