

## **SECTION VIII: GRIEVANCE PROCEDURES**

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### 1. GENERAL POLICY.

- A. Employees who perceive that they have a grievance against Tremonton City should exhaust the administrative procedure set forth in the body of this policy before addressing their grievance through any other forum. An employee may file a grievance about any perceived work related injustice or oppression resulting from an act, occurrence, omission, condition, or unfair labor practice. Issues addressable throughout the grievance process include, but are not limited to:
- (1) Employee-supervisor relationships.
  - (2) Duty assignments not affecting job classification.
  - (3) Shift and job location assignments.
  - (4) Working conditions.
  - (5) Practices affecting granting of leave.
- B. Grievances should be resolved at the lowest administrative level possible. Employees and supervisors shall attempt to resolve grievances informally by discussing the grievance issues before any formal written grievance is filed. Each employee pursuing a formal grievance must prepare and submit a separate written grievance/appeal. Written grievances shall contain, at a minimum, the following information:
- (1) Name of the employee.
  - (2) Date the occurrence or action underlying the grievance occurred.
  - (3) Nature of the grievance.
  - (4) Historical information related to the grievance.
  - (5) Requested Resolution.
  - (6) Signature of the employee filing the grievance and date filed.
- C. Employees will be allowed a reasonable amount of time during work to prepare written grievances. Employee grievances must be filed within ten (10) days of the occurrence or event giving rise to the grievance, or within ten (10) days of the

employee's acquiring knowledge of the occurrence or event giving rise to the grievance.

- D. At each level of the grievance process, after an administrator has received an employee grievance, the administrator shall have ten (10) working days to respond in writing to the grievance.
  - E. If an administrator is unable to answer the grievance within the specified time period due to exigent circumstances, the administrator may take an additional ten (10) working days to answer the grievance if they notify the employee in writing of the exigent circumstances and that the extension is being exercised. If the grievance remains unresolved or the decision is considered unacceptable, the employee may appeal the decision to the next level of appeal.
  - F. Absent exigent circumstances, if the supervisor fails to respond within the allotted time, the employee may proceed to the next level of appeal.
  - G. Only the issues presented in the original grievance may be considered throughout the appellate process. A grievance and any necessary appeals shall be processed through the following chain of command, if applicable:
    - (1) Immediate supervisor.
    - (2) Department head.
    - (3) City Manager.
    - (4) Mayor.
    - (5) City Council.
  - H. The decision of the City Council constitutes the final level of appeal and is final and non-appealable.
2. CONFIDENTIALITY. Written Grievance Forms (see Appendix Number 22 for details) shall be private data under the Government Records Access Management Act of the State of Utah. The Mayor or City Council may declare the grievance documents to be confidential and/or order the entire record, or any part of it, sealed.
3. FILING.
- A. No document relating to a grievance shall be placed in the employee's personnel file.

- B. If any disciplinary action against an employee is rescinded as a result of the grievance process, the Mayor, or City Manager, shall remove the record of the disciplinary action from the employee's personnel file.
- C. If any disciplinary action against an employee is modified as a result of the grievance process, the unmodified record of the disciplinary action shall be removed from the employee's personnel file and the modified record of the disciplinary action shall be placed in the employee's personnel file.

## Notes