



Jeffrey R. Gahler,
Sheriff

HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY

Grievances

Distribution:	All Personnel	Index:	PER 0302
Responsible Unit:	Human Resources	Rescinds:	Former MAN1000
DLI Program:		MD Code:	

Issued:	04/25/12	Revised:	10/01/16	Reviewed:	1/26/18	Next Review:	1/26/21
----------------	-----------------	-----------------	-----------------	------------------	----------------	---------------------	----------------

1. Purpose

To provide employees of the Harford County Sheriff's Office (HCSO) with guidelines regarding the use of the grievance process.

2. Policy

The Harford County Sheriff's Office will afford agency employees the opportunity to attempt to resolve issues that cause them distress, in a fair and equitable manner.

3. Definitions

DAYS: refers to calendar days

GRIEVANCE: a dispute between an employee and the HCSO concerning one of the following:

- A. health or safety hazard;
- B. the application or interpretation of agency rules, regulations, policies and/or procedures; or
- C. matters specifically enumerated elsewhere in Harford County Sheriff's Office written directives.

4. Employee Grievance System

- A. Each party to a grievance will make every effort to resolve the grievance at the lowest level possible by exploring all available options which resolve the issue in a positive manner for both parties.
- B. Employees with a grievance may follow the grievance procedures outlined in this policy free from coercion, discrimination, interference, reprisal or restraint.
- C. Grievances must be submitted in writing using the Personnel Grievance Report (Form SO-226) and submitted within the established timelines.
- D. Employees may be represented at any time, by any person that the grievant chooses.

- E. The grievance shall remain confidential between the involved parties until the conclusion of the case.
- F. The grievance may not require the entire process to be concluded due to factors such as a member's rank and/or assignment which may result in a resolution at different levels.
- G. In considering a multiple issue grievance, the reviewing authority may consider each issue separately and a different finding may be reached in regard to each issue.
- H. Matters involving transfers or promotions, and the merits or substance of a rule, regulation, policy or procedure are **not** subject to the grievance process.
- I. Any employee desiring to affect change on a specific issue or obtain clarification or interpretation of agency policies and procedures may do so as established in the agency's written directives system.
- J. Personnel handling grievance matters are prohibited from altering, changing or modifying a policy, procedure, rule, or regulation created or made effective by the Sheriff.
- K. Personnel handling grievance matters may make a recommendation for modification of a policy as part of the response to the grievance and it will be forwarded by the Chief Deputy to the Sheriff and Planning and Research Division.

5. Time Limitations

- A. Time limitations established in this order are maximum.
- B. Failure by the aggrieved employee to file an appeal in response to any level of this procedure constitutes acceptance.
- C. Failure of management to address a grievance within the established time limits should be reported promptly by the aggrieved employee to their Bureau Chief by a Memorandum (Form SO-212).
- D. Time limits in this policy may be waived upon mutual written agreement between the employer and the employee or their designated representative or, at the request of the Grievance Review Board, upon written notice to all parties. However, a waiver at any step by either party does not constitute a waiver at all steps, nor imply intent to resolve the issue. All time limits must be complied with, unless expressly waived by both parties.
- E. If an individual who is part of the grievance procedure is unavailable due to leave, illness, etc., the individual's designated representative shall be responsible for completing the grievance process within the established time limitations.

6. Documentation

- A. All documentation relevant to the closed grievance case shall be forwarded to the Chief Deputy, who will in turn forward it to the Human Resources Director for disposition according to established policy.
- B. The Sheriff, Chief Deputy, Bureau Chiefs and Division Commanders shall have access to grievance documentation through the Human Resources Director.

7. Grievance Procedure

A. Informal Step

1. The employee shall first discuss the grievance with their immediate supervisor within 14 days of the alleged occurrence or after reasonably becoming aware of the occurrence.
2. The supervisor is required to respond to the grievant, within 5 days of the meeting, with a written Memorandum (Form SO-212) documenting the efforts to resolve the issue.
3. If the supervisor is unable to satisfactorily resolve the issue, the employee may formally appeal the decision to their Division Commander, by completing the Personnel Grievance Report (Form SO-226) within 5 days of the supervisor's decision.
4. Any appeal of a grievance shall not raise issues that were not part of the original grievance.

B. Formal Step One – Employee's Division Commander

1. The Division Commander will review the written grievance to determine if it has been submitted within the required time limits and if it is consistent with subject matter permitted in the grievance proceedings.
 - a. If the Commander determines that the grievance has not been submitted consistent with either the time limits or subject matter, he may dismiss the action.
 - b. the reason for dismissal will be documented on the Personnel Grievance Report (Form SO-226) and returned to the grievant.
2. Within 5 days of receipt, the Division Commander will schedule a future conference with the parties, to occur within 14 days, to review the grievance.
3. The Division Commander may appoint a commissioned officer within his command to conduct the grievance conference.
4. The Division Commander or designee will document their decision by completing the Step One portion of the Personnel Grievance Report (Form SO-226).
5. The Division Commander or designee will deliver the written decision to the grievant within 14 days after the conclusion of the grievance conference.
6. The grievant will complete and sign the acknowledgement portion of the Step One decision on the Personnel Grievance Report (Form SO-226).
7. Within 5 days after receiving a decision from a Step One grievance proceeding, the grievant may appeal to the employee's Bureau Commander.

C. Formal Step Two – Employee's Bureau Chief

1. Within 5 days of receipt, the Bureau Chief will schedule a future conference with the parties, to occur within 14 days, to review the grievance.

2. The Bureau Chief will document his decision by completing the Step Two portion of the Personnel Grievance Report (Form SO-226).
3. The Bureau Chief will deliver the written decision to the grievant within 14 days after the conclusion of the grievance conference.
4. The grievant will complete and sign the acknowledgement portion of the Step Two decision on the Personnel Grievance Report (Form SO-226).
5. Within 5 days after receiving a decision from a Step Two grievance proceeding, the grievant may appeal to the Chief Deputy.

D. Formal Step Three – Chief Deputy

1. Within 5 days of receipt, the Chief Deputy will appoint a Grievance Review Board who will schedule a future conference with the parties, to occur within 14 days, to review the grievance.
 - a. The Grievance Review Board will consist of three members from the Agency.
 - b. At least one board member will be of equal rank to the grieving member; or a civilian if the grieving member is a civilian.
 - c. At least one board member will be of equal rank to the member the grievance may be against; or a civilian if the member the grievance may be against is a civilian.
 - d. No board member should be in the involved member's chain of command.
2. The Grievance Review Board will render an opinion to the Chief Deputy within 7 days after the conclusion of the conference, by completing the appropriate section of the Personnel Grievance Report (Form SO-226).
3. The Step Three section of the Personnel Grievance Report (Form SO-226) will be completed by the Chief Deputy and the final decision will be delivered to the grievant within 7 days of receipt of opinion.
4. If the Chief Deputy is a party to the grievance, the Sheriff will be notified and will appoint a hearing officer for the purpose of coordinating the grievance and of rendering a decision.
5. An employee may not grieve a specific act or occurrence more than once.
6. In the case of any appeal to Step Three, the decision of the Chief Deputy shall be final on all parties concerned.

8. Annual Review

Each year the Human Resources Director will prepare a summary of all grievances presented during the previous calendar year and forward through chain of command to the Sheriff no later than February 1.

Approved

JEFFREY R. GAHLER

SHERIFF

DATE _____