



**MESCAL J-6
FIRE DISTRICT**

**STANDARD OPERATING
POLICY # 021**

Grievance Rights

I. Purpose

To provide a process for members to discuss grievances or problems with management and to receive careful consideration and a prompt resolution.

II. Scope

This policy applies to all members who have completed their initial probationary period. However, all members have the right to file a complaint regarding harassment or any other form of discrimination. The procedure for filing a complaint for alleged discrimination or harassment is provided within the policies covering these areas: *"Harassment/Sexual Harassment"* and *"Equal Employment Opportunity."*

III. Policy

Each member of the District is encouraged to discuss work-related grievances or concerns with management.

IV. Definition

A grievance is defined as a condition of employment or application of a policy which the member perceives as being unjust or inequitable.

V. Guidelines

A. The grievance policy shall not apply to the following circumstances:

1. Appeals of corrective action (these are covered in the appeals process set forth in the policy entitled "Corrective Action / Discipline Process.")
2. Matters in which the Fire District does not have the authority to act.
3. Policies or resolutions as adopted by the Mescal-J6 Fire Board.
4. Terms and conditions of member benefits.
5. "Meets Standard" or "Above Standard" ratings in a members performance evaluation.

B. The member shall follow the established review procedure listed below in presenting any grievance to management.

C. In order for a grievance to be considered, it must be brought forth within 15 calendar days of the date of the circumstance which resulted in the grievance. If, after receiving the District's response, the member wishes to move to the next step of the process, he must do so within seven calendar days of the receipt of the response. Failure of the member to follow through within the timeframe will terminate the process.

D. Members are assured of freedom from reprisal for using the grievance procedure.

E. The Fire Chief shall be apprised of any grievances that are brought forth.

F. If the grievance is directly against the Fire Chief, the member shall provide a copy of the written grievance to the Secretary of the Fire Board or the Board Chairman, and may ask a Board Member to attend any verbal discussion with the Fire Chief.



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VI. Procedure

A. **Step One** -- For the purpose of addressing grievances, the member is encouraged to first seek assistance by discussing it with his or her immediate supervisor. If the member still has concerns, the grievance shall also be documented in writing to the officer. The officer will be responsible for handling the issue as an important business matter, making every effort to arrive at a prompt, equitable solution. The officer shall document in writing any conclusions, solutions or unsolved problems and respond to the member within seven calendar days of receipt of the grievance.

B. **Step Two** -- If the member still does not feel that the issue has been satisfactorily resolved after Step One, he has the option of taking the problem to the Fire Chief for further consideration. The member shall notify the officer in writing within seven calendar days that the matter is still not resolved. The immediate officer shall immediately forward all documentation from the grievance process to the Fire Chief for review, who will evaluate the situation and the response from the officer and hold a meeting with the member and the officer within fifteen calendar days. The Fire Chief shall document any conclusion, solution, or unsolved problems in writing and return a copy to the member within 10 calendar days following the meeting. The Fire Chief's decision shall be final, and there shall be no further administrative appeal.

Approved by the Mescal-J6 Fire District Governing Board on July 6, 2015. Replaces February, 2012