

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: GRIEVANCE PROCEDURES

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I. Purpose

To provide guidelines for an employee in filing a grievance in accordance with Personnel Policy #506 entitled "Employee Grievances".

II. Statement of Policy

It shall be the policy of the Covington Police Department to resolve grievances informally, if possible. Immediate supervisors and employees are expected, therefore, to make every effort to discuss and resolve problems as they arise and do so without prejudice, retaliation, or reprisals and to take necessary corrective action as appropriate. No supervisor shall deny any employee the right to take the grievance to the next step in the process when it cannot be settled satisfactorily at the lower level.

III. Definition

Grievance - a written complaint by an employee alleging:

- That his or her employment or productivity has been adversely affected by unfair treatment by a supervisor; and/or
- Unsafe or unhealthy working conditions; and/or
- Erroneous or capricious application of Department or City policies or procedures; and/or
- Unlawful discrimination based on race, color, religion, sex, national origin, age, handicap, disability, or other protected classification.

IV. Steps in the Grievance Process

A. Step One - Immediate Supervisor Level

1. Any employee who feels he or she has a grievable claim should submit the claim **in writing** to his or her immediate supervisor with a copy to the Personnel Director within 5 work days following the incident being grieved or within 5 days after becoming aware of the incident.

2. The immediate supervisor shall meet with the employee to discuss the specific grievance and the relief desired by the employee. After hearing all relevant information provided by the employee, the immediate supervisor will communicate a decision **in writing** to the employee within five (5) work days of receipt of the written grievance. A copy of the immediate supervisor's decision shall be sent to the Chief of Police and the City Personnel Director.

B. Step Two - Department Head Level

1. If the grievance is not resolved during Step 1, the employee may submit the grievance **in writing** to the Chief of Police with a copy to the Personnel Director within five (5) days after receipt of the decision from Step 1.
2. The Chief of Police shall meet with the employee to discuss the specific grievance and the relief desired by the employee. After hearing all relevant information provided by the employee, the Chief will communicate a decision **in writing** to the employee within seven (7) calendar days of receipt of the written grievance. A copy of the Chief's decision shall be sent to the Personnel Director.

C. Step Three - City Manager Level

1. This step is the final step in the grievance process. If the grievance is not resolved during the previous steps, the employee, within five (5) work days of receipt of the Chief's decision, may submit the grievance with all supporting documentation (including copies of the decisions rendered in the above steps) to the City Manager with a copy to the Personnel Director.
2. The City Manager may:
 - Consider the grievance on the basis of the written documentation submitted;
 - Conduct or designate an impartial individual to conduct a separate investigation of the grievance, including a meeting with the employee accompanied by his or her representative (if the employee desires representation) to discuss the complaint.
3. After consideration of the employee's grievance and upon review of all submitted documentation, the City Manager shall communicate his or her decision **in writing** to the employee, the Chief of Police and the Personnel Director within ten (10) work days. Such decision shall be final

V. **General Provisions**

- A. An employee filing a grievance shall do so in accordance with Personnel Policy #506. The grievance should be submitted to the immediate supervisor **in writing** within five (5) work days after the occurrence of the incident or within five (5) days after becoming aware of the incident. The complaint should state the specific grievance and the specific relief desired.

- B. An employee who feels that he or she has been illegally discriminated against due to race, color, religion, sex, national origin, age handicap, or disability has up to 180 days from the date of the alleged act of discrimination or of learning of the alleged act to file a complaint.
- C. Employees who cannot provide the grievance in writing due to a disability or functional illiteracy may ask for assistance from the Personnel Director, who will arrange to have assistance provided.
- D. The following issues are non-grievable:
 - 1. Issues which are pending or have concluded by other administrative judicial proceedings.
 - 2. Work assignments which do not result in a demotion or reduction in the employee's pay.
 - 3. Budget allocations and exceptions.
 - 4. Organizational structure, including the individuals or number of persons who are assigned to particular jobs or units.
 - 5. The content or rating of a performance appraisal, except when the employee can show that he or she has been adversely affected by the appraisal.
 - 6. The selection of an individual by the City to fill a position through appointment, promotion, or transfer except when the employee can show that he or she has been adversely affected because of unlawful discrimination.
 - 7. Disciplinary actions other than suspensions without pay, demotions, or terminations, which may be appealed.
 - 8. Any matter which is not within the jurisdiction or control of the City.
 - 9. Internal security practices as established by the appointing authority or the Mayor and Council.
 - 10. Decisions, policies, practices, resolutions, or ordinances made or passed by the governing authority, which are not job or work related and which did not contradict these policies.
- E. Any time disciplinary action is taken against an employee, the supervisor taking this action shall review the appeals process with the employee as stated on the reverse side of the employee's copy of the disciplinary form.

- F. The grievance process will be maintained and administered by the Personnel Director as outlined in City Personnel Policy #506.
- G. The Internal Affairs officer is responsible for the coordination of the grievance procedures and for the maintenance and control of grievance records. He is also responsible for preparing an annual analysis of all grievances filed.

This SOP supersedes any SOP previously issued.

BY THE ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton

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Chief of Police