

## **Camden County Library District Policy Manual**

### **Section 1. Employees**

#### **Subsection 23. Grievance Policy**

The Camden County Library District (CCLD) is committed to providing the best possible working conditions for all staff. This objective is achieved by developing and maintaining cooperative working relationships among employees and encouraging an open and honest atmosphere in which any problem, concern, or question is answered quickly and accurately by CCLD supervisors and management.

All staff has the right to present concerns or grievances under the provisions of this grievance process free of restraint, interference, coercion, discrimination, or fear of reprisal. Any violations of this right will subject the violator to disciplinary action. Each member of management is responsible for assuring that every employee under his or her supervision is aware of the right to utilize the grievance process, and the process may be used when informal communications do not reach a satisfactory conclusion. Grievance response adjustments, if any, are to be consistent with personnel policy and administrative procedures. All information relative to the grievance will be kept in an individual, confidential grievance file. The Business Manager is available at any time to provide clarification and assistance in the administration of this policy. If the Director is the subject of the grievance and the CCLD Board (Board) votes to discipline him or her regarding said grievance, information regarding disciplinary action taken by the Board will be made public.

Prior to filing a formal grievance, CCLD encourages staff to discuss the issue thoroughly in a conciliatory effort with their supervisor(s). If such meeting does not produce a solution to the issue in conformity with CCLD policies and procedures, the employee may proceed to the formal grievance process for resolution.

This grievance procedure does not alter the at-will nature of the employment relationship as set forth in the Nature of Employment and specifically does not create any contractual rights, including, but not limited to, rights to continued employment.

#### **Definition**

A formal grievance is a written appeal presented by an employee to change a management decision or administrative practice affecting his or her work, conditions of employment, or employment status (including discharge). A grievance may relate to the interpretation or application of CCLD policies, procedures, or practices. A grievance may also result when an employee believes improper or unfair treatment with respect to disciplinary action has been taken. The grievance must state the reason for the belief that unfair or unequal treatment has resulted from the decision or practice, how the grievant was negatively affected by the action, and his or her desired remedy. The policy and procedure herein does not apply to certain categories of employees and actions, including, but not limited to, the items listed below:

- Any grievance or concern affecting a temporary employee;
- Rates of pay, employee benefits, and position classification;
- Actions caused by reduction in workforce (e.g., termination, layoff, demotion, or job abolishment);
- Work activity accepted by the employee as a term and condition of employment that may reasonably be expected as a part of the job content. Supervisors retain the right to change work assignments for work-related reasons; however, employees may file a grievance if they believe that such actions are applied to them unfairly, inconsistently, or without sufficient reason;
- Non-selection for promotion or transfer when the basis for the grievance is an allegation by the employee regarding the qualification of the person selected; and
- Complaints of employment civil rights violations (e.g., race, sex, age, sexual harassment, etc.). Please refer to the Policy on Complaint of Employment Discrimination and the Policy on Complaint of Sexual Harassment.

## **GRIEVANCE PROCEDURE**

Listed below are general guidelines to follow in utilizing the grievance procedure.

- The policy and procedure herein apply to all regular (non-temporary) full and part-time CCLD employees, including newly-hired probationary employees.
- In order to file a formal grievance, the employee must have had an adverse employment action occur within the specified time frame. A grievance cannot be filed on the basis of an anticipated adverse employment action.
- Time frames given in the grievance procedure are intended to ensure prompt and thorough action is taken. Any of the time frames specified in the procedure may be extended by mutual agreement of the parties involved or by the Director unless the Director is a party to the grievance, in which case the Board may extend applicable time frames. The time periods stipulated do not include Saturdays, Sundays, or holidays.
- The presentation of a grievance by an employee must follow the designated sequence in an orderly fashion, from one authority to the next higher authority. Only if the grievance is of such nature that the immediate supervisor could not possibly resolve the grievance should the employee bypass one level of supervision and appeal to the next higher authority. All participants must make an effort to keep the discussion from developing into an adversarial or accusatory process.
- Employees should refrain from bringing frivolous grievances into the process.

### **Filing Procedure**

Listed below are the various steps to follow in filing a grievance and the time frames associated with each Step. If the Business Manager is a party to the grievance, the Director will process the complaint.

1. Obtain a Grievance Review Request form from the Business Manager.

2. Complete the Grievance Review Request form as instructed. Briefly state the grievance in a clear and concise manner, making sure that all relevant circumstances, dates, and witnesses are included. Sign and date the form in the spaces provided. The Business Manager will provide technical assistance as needed.
3. Return the completed Grievance Review Request form to the Business Manager, who will date and forward the grievance and supporting documentation to the first-level respondent within five (5) working days of the date of receipt. A copy will be provided to the grievant by the Business Manager. Once the form is forwarded to the first-level respondent, the grievance process begins.
4. Notify the Business Manager if the grievance is resolved at Step I below.
5. Obtain a new form for each successive step. On each subsequent form, indicate the Step of the grievance process and complete the form through the Continuing Action box. Submit a copy of the previous finding of the prior Step and a statement as to why the finding does not satisfactorily resolve the grievance.

## **STEPS WHERE THE DIRECTOR IS NOT THE SUBJECT OF THE GRIEVANCE**

### **STEP I**

An employee who believes that he or she has a grievance as defined within this policy may submit the grievance to the Business Manager within thirty (30) working days of the date of the most recent event. The Department Manager/supervisor will meet with the employee to review the situation carefully and give a written response within fifteen (15) working days of the date of receipt of the grievance. **NOTE: PROBATIONARY EMPLOYEES MUST SUBMIT THEIR GRIEVANCES WITHIN FIVE (5) WORKING DAYS OF THE DATE OF THE MOST RECENT EVENT.**

### **STEP II**

If the decision of the Department Manager/supervisor is not satisfactory to the grievant or is not rendered within the stated time frame, the employee may request presentation of the grievance to the Business Manager by notifying him or her within five (5) working days of the date of receipt of the STEP I findings. The Business Manager shall meet with the employee. If appropriate for informational purposes, the Business Manager may contact witnesses to the alleged incident. After reviewing all relevant information, the Business Manager will consider the Step II grievance and render written recommendation(s) to the CCLD Director (or other designee as determined by the Director) within fifteen (15) working days of the date of receipt thereof. The Director or Director's designee, as applicable, will then meet with the employee and the Department Manager to discuss the Step II grievance, and then the Director or Director's designee, as applicable, will issue a written decision within five (5) working days of the date of receipt of such recommendation.

**Decisions rendered by the Director or Director's designee in Step II will be final and binding on all parties.**

## **STEPS WHERE THE DIRECTOR IS THE SUBJECT OF THE GRIEVANCE**

If the Director is the subject of the grievance, the process will be as follows:

#### STEP I

An employee who believes that he or she has a grievance as defined within this policy may submit the grievance to the Business Manager within thirty (30) working days of the date of the most recent event. The Business Manager will submit the grievance to the Director within five (5) working days of the date of receipt from the grievant. The Director and the Business Manager will meet with the grievant to carefully review the situation and give a written response to the grievant within twenty (20) working days of the date of receipt of the grievance from the Business Manager.

#### STEP II

If the decision given is not satisfactory to the grievant or is not rendered within the stated time frame, the grievant may request presentation of the grievance to the Business Manager by notifying him or her within five (5) working days of the date of receipt of the Step II findings. The Business Manager will submit the grievance to the Board President within ten (10) working days of the date of receipt from the grievant. The Business Manager will obtain witness statements and other information as directed by the Board and supply such information along with the Business Manager's report to the Board within thirty (30) working days of the delivery of the Step II grievance to the Board or the next scheduled Board meeting. The Board will review the report provided by the Business Manager and render a decision on the grievance with written notice to the grievant within thirty (30) working days of the date of receipt of the report from the Business Manager.

**Decisions rendered by the Library Board will be final and binding on all parties.**