

Scotts Valley Fire Protection District	Policy: 902
Subject: Grievance Procedure	ADOPTED: JUNE 9, 1999

Policy 902: Grievance Procedure

I. Purpose

Sound employer/employee relations dictate that supervisors must constantly strive to resolve complaints of employees. Grievance procedures adjust minor complaints and irritations before they blossom into major discontents and disputes.

The purpose of this grievance procedure, therefore, is to establish effective machinery for the fair, expeditious and orderly adjustment of grievances.

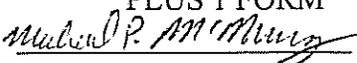
NOTE: Nothing in this procedure shall prohibit an employee from discussing a complaint directly with his/her supervisor.

II. Definition

A grievance is defined as a claimed violation by an employee, group of employees or the Association concerning misinterpretation, inequitable application or noncompliance with district rules or regulations including, but not limited to, the terms of the MOU.

Those matters that are out of the control of the District are not subject to grievance. Ordinances or resolutions enacted under the authority granted to the District by law are not subject to grievance.

This grievance procedure does not apply to disciplinary action or selection of personnel.

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III. Grievance Form

When a grievance is filed (attached form), the grievance shall be written to provide the basis for discussion by management and the employee(s) to insure that the grievance will not be misinterpreted.

Three copies of the written grievance must be submitted to the employee's immediate supervisor, the employee retaining the original. The supervisor shall immediately forward those copies as follows:

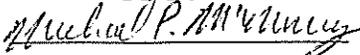
- Original - Employee
- 1st copy - Supervisor retains
- 2nd copy - Division Chief
- 3rd copy - Fire Chief

IV. Grievance Procedure

1. An employee who has a problem or complaint must first try to get it settled through discussion with his/her supervisor without undue delay.
2. If, after this, he/she does not believe the problem has been satisfactorily resolved, he/she shall have the right to discuss it with his/her supervisor's immediate supervisor. Every effort must be made to find an acceptable solution by informal means at the lowest possible level of supervision.
3. If the employee is not in agreement with the decision reached by discussion, he/she shall then have the right to file a formal grievance. An informal grievance shall not be taken beyond the Division Chief.
4. A formal grievance shall be presented in writing within fifteen (15) calendar days of alleged dispute, or fifteen (15) calendar days within receipt of a decision from an informal grievance. Such grievance shall be made to the employee's supervisor who shall render his/her decision and comments in writing and return them to the employee within fifteen (15) calendar days after the grievance form is filed.

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5. If the employee does not agree with the supervisor's decision, the employee may present the appeal in writing to his/her supervisor's immediate supervisor.

The supervisor receiving the grievance shall review it, render his/her decision and comments in writing, and return them to the employee within fifteen (15) calendar days after receiving the appeal.

The employee will then have fifteen (15) calendar days from the receipt of a decision to appeal to the next level. Failure to do so within the time frames will constitute a withdrawal of the grievance.

6. If the employee does not agree with the decision, he/she may present the appeal in writing to the chief.

The chief, or his designated representative, should discuss the grievance with the employee, his/her representative, and other appropriate personnel. The chief shall render his decision and comments in writing and return them to the employee within fifteen (15) calendar days after receiving the appeal.

The employee will then have fifteen (15) calendar days from the receipt of a decision to appeal to the next level. Failure to do so within the time frames will constitute a withdrawal of the grievance.

7. If the employee does not agree with the decision reached, he/she may present the appeal to the Board of Directors for a final and binding decision, or the grievance will be submitted to the chief for a final and binding decision upon the employee's written request.

If such grievance is submitted to the Board of Directors, it shall be heard at the next regular meeting, provided there is adequate time allowed for the grievance to be added to the agenda.

NOTE: All grievances shall be submitted to the chief prior to being submitted to the Board of Directors.

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[Signature]

Fire Chief: _____

[Signature]

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The Board of Directors may affirm, reverse, or modify as they deem appropriate, the decision made at the sixth step.

8. At any stage of this grievance policy, the parties may mutually agree to select the State Conciliation and Mediation Service to help resolve the grievance. The advisory recommendation by this service is not binding upon the parties and shall remain confidential to the parties. The parties may agree to select another agency or individual other than the State Mediation Service, however, any costs shall be borne by the moving.
9. The parties, by mutual consent, may extend any of the timelines at any stage of this grievance procedure.
10. If the chief or supervisors fail to render a written decision within any of the fifteen (15) day calendar periods in the grievance procedure, the employee may continue to the next level of the grievance procedure.

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Board Chairperson: *R. Clark Jr.*

Fire Chief: *M. Williams*