

**RULE 13**  
**GRIEVANCES**

13.01 **PURPOSE** :

The purpose of this rule is to provide a forum for a classified employee of the Harris County Sheriff's Department to present a grievance to the administrators of that Department, without fear of reprisal or harassment, for prompt and fair consideration.

13.02 **BASIC ASSUMPTIONS** :

(a) That any classified employee of the Harris County Sheriff's Department may initiate a grievance.

(b) That the grievance procedure is a positive process that seeks to improve morale, discipline, and the functioning of the Department.

(c) That the administrators of the Harris County Sheriff's Department have the right to maintain efficient operations to meet law enforcement needs.

(d) That the basic responsibility for resolving grievances lies with the employee's supervisor.

(e) That an employee may present fact witnesses in his behalf and may be represented by a person of his choosing in all proceedings pertaining to his grievance.

(f) That the Sheriff of Harris County will monitor all levels of this grievance procedure and will insist upon compliance with all its requirements.

13.03 **DEFINITIONS** :

A grievance is an action arising from a complaint an employee has concerning the administration of policies, procedures, rules, regulations, and operations of this Department, but does not include the following:

1. Departmental decisions pertaining to disciplinary action (See Rule 12)
2. Salaries and economic benefits
3. Discrimination complaints based on race, color, religion, sex, or national origin
4. Personnel evaluations
5. Letters of reprimand
6. Promotional examination issues. (See Rule 4, Section 4.05)

#### **13.04 GRIEVANCE PROCESS :**

(a) To file a grievance, an employee must file it:

1. Within fifteen (15) days of the action or inaction giving rise to the grievance.
2. By letter.
3. To his supervisor, with a copy to the Personnel Section of the Human Resources

Bureau.

(b) Each grievance and all documents related thereto will be maintained by the Human Resources Bureau.

(c) Upon receipt of the written grievance, the employee's supervisor will arrange a meeting with the employee within five (5) days.

(d) When the employee and the supervisor meet, they will strive to resolve the problem. If the grievance is resolved at the meeting both parties shall reduce the resolution to writing and attach it to the original grievance and forward it to the Human Resources Bureau. If the grievance is not resolved, both parties shall attach statements to the original grievance stating reasons for their positions. The original grievance, the statements, and any other attachments will be reproduced and a copy sent to the Human Resources Bureau. The original grievance, statements and other attachments will then be forwarded through the chain of command.

(e) Upon receipt of the documents pertaining to the grievance, each supervisor in the chain of command has five (5) days to meet with the employee. After an informal meeting, the supervisor has five (5) days to render his decision. If the grievance is resolved at the meeting both parties shall reduce the resolution to writing and attach it to the original grievance and forward it to the Human Resources Bureau. If his decision is in favor of the employee, the supervisor will render his decision in writing and provide copies of his decision to the employee and the lower chain of command and copies of his letters will be forwarded to the Human Resources Bureau. If the grievance is not resolved, both parties shall attach statements to the original grievance stating reasons for their positions. The original grievance, the statements, and any other attachments will be reproduced and a copy sent to the Human Resources Bureau.

(f) The employee has five (5) days to appeal the decision in writing to the Sheriff of Harris County. Copies of all documents related to the grievance must be attached to the grievance when the grievance is appealed to the Sheriff.

(g) Upon receipt of the grievance, the Sheriff will review the facts pertaining to the grievance and shall render his decision within ten (10) days. If his decision sustains the employee's grievance, the Sheriff shall notify the employee in writing and shall also notify the appropriate chain of command stating the reasons for his decision. Copies of his letter will be sent to the Human Resources Bureau. If his decision is adverse to the employee, the Sheriff shall notify the employee in writing and shall attach his decision, and any recommendation, to the grievance form. All documents will then be forwarded to the Human Resources Bureau.

(h) The employee has five (5) days in which to appeal the Sheriff's decision to the Civil Service Commission. Copies of all documents related to the grievance must be attached to the grievance when the grievance is appealed to the Civil Service Commission.

(i) Upon receipt of the grievance, the Civil Service Commission shall review the facts pertaining to the grievance and render its decision in writing to sustain, deny or hold a hearing. If the Commission's decision sustains the employee's grievance, the Commission shall notify the employee and the appropriate chain of command in writing. If the Commission's decision is adverse to the employee, the Commission shall notify the employee in writing. If the Commission holds an informal hearing, the employee may be represented by any person of his choosing and may call any fact witnesses. The Sheriff or his designee may call fact witnesses. The Civil Service Commission may call any witnesses. Upon completion of the hearing, the Civil Service Commission shall render its decision. Its decision is final and binding upon all parties. Copies or originals of all documents generated at this level will be forwarded to the Human Resources Bureau.

(j) The Civil Service Commission shall issue a letter stating its findings to the affected Bureau or Bureaus.

(k) Failure of the parties involved to act within the time limits established by this rule will give the employee the right to proceed to the next highest level in the process.

**Amended 4/25/95, Amended 4/01**