



Sheriff James W. Murphy



# Employee Grievance Procedures



## Sheriff's Office City of St. Louis

The purpose of this Procedural Order is to establish a process for addressing and resolving problems within operating departments. Employees are free to seek resolution of problems without fear of discrimination, coercion, restraint, or reprisal. The grievance procedure is an extremely important process and properly utilized will facilitate open and continuous communication.

SHERIFF'S DEPARTMENT CITY OF  
ST. LOUIS

1114 Market Street  
Carnahan Court Bldg.

314-622-4131 office

314-622-4839 fax

4/1/2011

# SHERIFF OF CITY OF ST. LOUIS EMPLOYEE GRIEVANCE POLICY

---

## PROCEDURAL ORDER 11-03

Revised 04/01/2011

Effective Immediately

### I. PURPOSE:

The purpose of this Procedural Order is to establish a process for addressing and resolving problems within operating departments. Employees are free to seek resolution of problems without fear of discrimination, coercion, restraint, or reprisal.

***The grievance procedure is an extremely important process and properly utilized will facilitate open and continuous communication.***

### II. TYPES OF EMPLOYEE PROBLEMS:

Employee problems which may arise are endless in their variety; however, following are the types of employee(s) problems which may in some cases be addressed by this Procedural Order.

- A. The physical environment in which the employee works;
- B. Working conditions on the specific job (for example, dangerous methods, inadequate tools, etc.);
- C. Relationships with fellow employees (for example, a fellow employee who allegedly shirks his/her share of the work; a superior who is allegedly unfair, inconsiderate, or who allegedly singles out the employee for humiliation or undeserved censure; or a group of employees which is allegedly affecting the employee in an unfair or illegal manner);
- D. The fairness and consistency with which department regulations are applied to the employee(s).

**The above list is not exhaustive but rather gives examples of possible issues that may be grieved. No grievances should be brought to the Sheriff of the City of St. Louis without following this procedure.**

### III. MATTERS NOT TO BE HANDLED BY THIS PROCEDURE:

Any grievance or problem that does not fall into the categories described in Section II above must be addressed through established procedures in the Sheriff's Policy and Procedural Orders, Rules and Regulations of the Department, State and Federal Statutes. The Executive Aide to the Sheriff will be the final authority in determining whether or not a particular employment issue is appropriate for the formal grievance procedure. Following are some examples of issues that are **not appropriate** for the formal grievance procedure:

- A. Employment status, including dismissals, demotions, layoffs, suspensions, reductions in pay, docks, written reprimands, and denial of leave;
- B. Service Ratings; pay grades
- C. Examinations;
- D. Benefits established by Laws
- E. Classification of positions;
- F. Equal Employment Opportunity & Harassment Compliance;
- G. Management decisions involving organizational structure of the employee's department;
- H. Promotions

### IV. DOCUMENTATION:

The Sheriff and department Executive Aide to the Sheriff will be responsible for maintaining all documentation relative to the grievance and the investigation. All documentation will be forwarded to the Executive Aide to the Sheriff upon his/her request. Failure to submit documentation may result in adverse action.

## V. PROCESS:

- A.** An employee or group of employees who believes they have been aggrieved should first go to their immediate supervisor and discuss the problem. If the employee believes that the problem has not been resolved, and he or she wishes to continue with their grievance, he or she may ask his/her supervisor, Commander, or the Executive Aide to the Sheriff, for an Employee Grievance Procedure Form.
- B.** An employee who believes he or she has been aggrieved (and not satisfied with the Supervisor's decision) must file the grievance within fifteen (15) calendar days of the action and/or event which is the subject of the grievance on an Employee Grievance Procedure Form to his/her next in line of command. A copy of such form will be furnished to the Unit Commander (if applicable). Supportive documentation will accompany this submission.
- C.** Within fifteen (15) calendar days of receipt of such grievances, the next in line Commander (above the rank of the supervisor) will investigate the complaint, which may include submissions from the aggrieved employee's supervisor and/or co-workers, and submit his/her resolution of the problem in writing to the employee(s) and the Unit Commander. The line Commander above the rank of the supervisor may use his/her discretion in determining the best method of investigation.
- D.** If the employee feels the problem has not been resolved by the line Commander, the employee may within fifteen (15) calendar days of receiving the decision of the line Commander above the rank of the supervisor, appeal to the Unit Commander. If the line Commander is the Unit Commander, there is no further review at the department level. The Unit Commander will review the Employee Grievance Procedure Form and render a determination.
- E.** The supervisor, line Commander (above the rank of the Supervisor) and employee(s) will be notified in writing of the Unit Commander's decision within fifteen (15) calendar days of the receipt of the appeal from the employee.
- F.** If the problem has not been resolved after notification by the Line Commander or the employee's Unit Commander, the employee(s) may within fifteen (15) calendar days from the date of the Unit Commander's decision appeal to the Executive Aide to the Sheriff.
- G.** The Executive Aide to the Sheriff will within fifteen (15) calendar days of receipt of the Employee Grievance Procedure Form, thoroughly review or investigate the grievance, including reviewing all documentation. The Executive Aide to the Sheriff will either make a recommendation to the Sheriff or his designee, or the Executive Aide to the Sheriff will appoint a three-member Employee Grievance Committee. The Employee Grievance Committee shall consist of a member of the designee

designated by the Sheriff, who will be chairperson, a supervisor from a department other than the employee's department, and a Deputy Sheriff not assigned to the same division as the filing party. The Executive Aide to the Sheriff will maintain a list of commanders, supervisors, and Deputy Sheriffs who are available to participate on the committee.

The employee may have a representative of their choosing present at the hearing. If the representative is an employee, they must get permission from their Supervisor and Commander to be away from the work site. No attorney can represent the employee or management before the Employee Grievance Committee. Any party involved can request to call witnesses to testify in its behalf by making such a request in writing at least five (5) calendar days in advance of the hearing to the Executive Aide to the Sheriff. The Employee Grievance Committee will study all the records of the case and hold an informal hearing as soon as possible, but no later than fifteen (15) calendar days of receipt of the grievance. The committee will notify the Executive Aide of the Sheriff of its recommendation in writing within fifteen (15) calendar days of the completion of the hearing.

The Executive Aide to the Sheriff will limit his review to the official grievance hearing file and recommendation of the Employee Grievance Committee. The Executive Aide to the Sheriff, shall then notify the Unit Commander, line Commander and Supervisor and the Sheriff, and other concerned parties in writing of his recommendation, shall provide the reasons for his recommendation, and shall also send all parties a copy of the written report provided to him by the Grievance Committee, within fifteen (15) calendar days of the decision.

**H.** After receipt of the recommendation by the Executive Aide to the Sheriff, the Unit Commander will notify all parties concerned including the Sheriff of their decision in writing within fifteen (15) calendar days.

**I.** **Any of the time frames established in this regulation can be extended by mutual agreement of all parties concerned or the Executive Aide to the Sheriff.**

**Failure of management to meet the time frames specified in the policy shall allow the employee to move to the next step of the process. For instance, if the employee did not receive a written response from the line Commander within fifteen (15) calendar days, the employee could appeal to the Unit Commander. If the Unit Commander did not notify the employee in writing of his/her decision within fifteen (15) calendar days of his/her decision, the employee could appeal to the Executive Aide to the Sheriff and the Employee Grievance Committee.**

**If the employee did not submit the grievance to the line Commander, appeal the Supervisor's decision, or appeal the Unit Commander's decision within the time frames specified in the policy, the employee would forfeit the right to grieve.**

J. The original copy of the Employee Grievance Procedure Form, a copy of the Grievance Committee's written report to the Executive Aide to the Sheriff (where applicable), a copy Executive Aide to the Sheriff recommendation and the department head's or Unit Commander's final decision will be placed in the employee's folder file by the Personnel Department record keeper.

If you have any questions concerning this policy, please call the Executive Aide to the Sheriff.

James W. Murphy

Sheriff

City of St. Louis, MO

**Effective Date April 1, 2011**

**Expires: Indefinitely**

# SHERIFF OF ST. LOUIS

## EMPLOYEE GRIEVANCE PROCEDURE FORM

Employees must complete an Employee Grievance Procedure Form to grieve problems not addressed through other procedures.

Attach additional sheets when necessary. **DO NOT** submit this form to address service ratings; examinations; benefits established by ordinance; classification of positions; equal employment opportunity complaints; or employment status including dismissals, demotions, layoffs, suspensions, reductions in pay, docks and denial of leave.

An employee should first discuss the problem with his/her immediate supervisor. If the employee believes the problem has not been resolved by a discussion with his/her immediate supervisor, the following steps must be followed:

**Step 1:** An Employee Grievance Procedure Form must be completed and submitted to the Sheriff of the City of St. Louis within fifteen(15) calendar days of the date of the most recent occurrence of the problem. You must send a copy of the Employee Grievance Procedure Form to your department Commander (if the Sheriff is not also your department director).

Your appointing authority is required to submit to you and your department director (if the Sheriff is not also your department director) in writing within fifteen (15) calendar days, his/her resolution to your problem.

**Step 2:** If you believe your problem has not been resolved by your appointing authority, you may appeal to your department director within fifteen (15) calendar days of receipt of your appointing authority's decision. Complete Step 2 on reverse side of this form. If the Sheriff is your department director, go to Step 3.

Your department Commander is required to notify you in writing of his/her decision within fifteen (15) calendar days.

**Step 3:** If you believe your department Commander has not resolved your problem, you may appeal to the Director of Personnel within fifteen (15) calendar days of receipt of your department director's decision.

For additional information see Procedural Order 11-03 Sheriff's Department Grievance Procedure.

Questions should be referred to the Executive Aide of the Sheriff.

---

**Employee Name:** \_\_\_\_\_

**Department:** \_\_\_\_\_ **Rank Title:** \_\_\_\_\_

**STEP 1 - Problem:**

**Suggested Remedy:**

Employee's Signature: \_\_\_\_\_ Date submitted: \_\_\_\_\_ *Original*  
*forwarded to the Executive Aide to the Sheriff and copy forwarded you're Unit Commander. Employee should keep a copy of this form.*

**Unit Commander Determination:**

Unit Commander \_\_\_\_\_ Date: \_\_\_\_\_

Copy forwarded to employee and department Commander on (date) \_\_\_\_\_

---

**STEP 2 - Appeal to Department Commander I wish to appeal my Unit Commander decision.**

**Reason for Appeal:**

**Employee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Forward to your Department Commander

---

**Determination of Department Commander:**

**Department Commander's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Copy forwarded to employee and Unit and Department Commander on (date)

---

**STEP 3 - Appeal to Sheriff or his designee I wish to appeal my department Commander's decision.**

**Reason for Appeal:**

**Employee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Forward to the Executive Aide to the Sheriff. See Section V paragraph G (Rev. 04/2011))*