



CITY OF KINSTON

Subject: Grievance Procedures	Section: Human Resources	Review Responsibility: Director of Human Resources
	Policy #: HRE-02 Effective Date: 02/01/90 Rev. #: 2 Supersedes: 03/01/11	Revision Date: 04/20/11 Page: 1 of 2 Prepared by: Scotty Hill Approved BY: 

1.0 Purpose

- 1.1 To establish guidelines for a formal process by which City of Kinston employees who have regular status may grieve certain non-disciplinary actions.

2.0 Organizations Affected

- 2.1 All Department/Organizations
- 2.2 All City of Kinston employees with Regular Status may file a grievance under this procedure. An employee who has not completed his/her probationary status is not entitled to file a grievance under this procedure.

3.0 Policy

- 3.1 The City of Kinston is committed to the fair treatment of all City employees and will comply with all local, state, and federal laws related to the grievance procedures.

4.0 Definitions

- 4.1 Grievable Action – A non-disciplinary personnel action that involves one of the following situations: reduction in force, issues related to working conditions, policies, and/or practices or when an employee perceives that he/she has been treated unfairly in the application of the Fair Labor Standards Act, Age Discrimination Employment Act, Family Medical Leave Act, American With Disabilities Act, and/or the Equal Employment Opportunity Act.
- 4.2 Regular Status – A full-time employee who has successfully completed his/her probationary status and who is serving in a budgeted position and receiving benefits such as vacation and sick leave. Also includes a part-time employee who is serving in a budgeted position and who has completed his/her probationary status and is receiving benefits such as vacation and sick leave in a pro-rated basis.

5.0 Responsibility

- 5.1 All department heads and supervisors are responsible for following the proper grievance process as defined by this document.

6.0 Procedures

6.1 Informal Resolutions of Complaints

- 6.1.1 This document sets forth the procedures in which a City employee can resolve issues regarding a Grievable Action. This policy recognizes that employees may have issues

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relating to work conditions, policies, or practices that require attention and resolution when possible. This procedure can be utilized when all efforts of the employee have failed to address the problem. These procedures do not assure a change in a situation but rather provide formal steps to examine the issues brought forth, and if reasonable, make changes to resolve the problems.

- 6.1.2 The employee is first and foremost encouraged to resolve any such issues by working with coworkers and management. If unable to reach an adequate solution, the following problem-resolution procedure should occur.
 - 6.2.2.1 The employee shall request a meeting with the immediate Supervisor to present the issue of concern.
 - 6.2.2.2 The supervisor shall schedule a meeting with the employee within five working days.
 - 6.2.2.3 At the meeting, the supervisor shall review the issue with the employee and collect all relevant information and data concerning the situation.
 - 6.2.2.4 After reviewing the information presented at the meeting, the supervisor shall make recommendations regarding the issue in writing to the employee within seven (7) working days of the meeting. The letter shall contain a summary of the issues and recommended actions that can be taken to resolve the issue, or if no action is recommended, state the reasons why.
 - 6.2.2.5 If the employee is unsatisfied with the immediate supervisor's response, they may, within ten (10) working days following the date of the letter issued pursuant to 6.1.2.4 request a meeting with the department head which shall be scheduled within ten (10) working days. Failure by the employee to request a meeting with the department head within the time allotted above will constitute a waiver of such meeting.
 - 6.2.2.6 At this meeting, the employee shall again present the issue being grieved, reasons for the grievance, and any recommended solutions the employee may have.
 - 6.2.2.7 The department head shall review all matters regarding the issue and provide a written response to the employee within fifteen (15) working days of the meeting. The letter shall review the conference points and provide recommendations for resolution. This is the final step in the grievance procedure and the decision of the department head is final.
 - 6.2.2.8 If the issue involves other employees of the agency, management shall include those employees in the review of the situation and should consider their input and feedback in the final decision process.

6.2 Appeal of Adverse Actions

- 6.2.1 The appeal process is defined in Policy # HRE-01, Section 6.9 and is herein referenced.