

Grievances

1406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Montgomery County Sheriff's Office grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

1406.1.1 DEFINITIONS

A grievance is a difference of opinion or dispute regarding the meaning, interpretation or application of any of the following:

- This Policy Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct under the Personnel Complaints Policy, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members

Specifically outside the category of grievances are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity that are subject to the complaint options set forth in the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any office employee that, if true, would constitute a violation of office policy, federal, state or local law, as set forth in the Personnel Complaints Policy.

1406.2 POLICY

It is the policy of the Montgomery County Sheriff's Office to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint or retaliation against any employee who submits or is otherwise involved in a grievance.

1406.3 PROCESS

Grievances may be brought by a member who may be joined with another member in presenting that matter.

Except as otherwise required, if an employee believes that he/she has a grievance as defined above, that employee shall:

- (a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request a meeting with the appropriate Division Director.

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- (c) If a successful resolution is not found with the Division Director, the employee may request a meeting with the Sheriff as set out herein.
 - 1. Submit a written statement of the grievance to the Sheriff and provide a copy to his/ her immediate supervisor.
 - 2. Include the following information in the written statement:
 - (a) The basis for the grievance (i.e., the facts of the case).
 - (b) The allegation of any specific wrongful act and the harm done.
 - (c) The specific policies, rules or regulations at issue.
 - (d) The remedy or goal being sought by the grievance.
- (d) The supervisor shall provide the employee with a signed acknowledgment of the grievance that shall include the date and time of receipt.
- (e) The Sheriff and when appropriate, the subordinates respective Division Director should review the grievance and respond to the employee within 14 calendar days.
 - (a) The response will be in writing, and will affirm or deny the allegations.
 - (b) The response shall include any remedies, if appropriate.
 - (c) The decision of the Sheriff is considered final.

1406.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be placed into a secure portion of the members personnel file. Copies of the documents may also be sent to the County Attorney if such grievance could possibly lead to litigation.