

DIRECTIVE 22.4 GRIEVANCE PROCEDURES

Issue Date: 04/29/2020	By Order of Chief of Police
Rescinds: (Issue 08/13/2015)	CALEA Standards
Pages: 4	Referenced: 22.4.1; 22.4.2 & 22.4.3

This directive consists of the following sections:

- [22.4.1 Grievance Procedures](#)
- [22.4.2 Coordination / Control of Records](#)
- [22.4.3 Annual Analysis](#)

POLICY AND PROCEDURE:

The purpose of this directive is to provide a procedure to formally resolve conflicts within the Miami Township Police Department and to provide a structured method to accomplish such resolution. To provide all employees the ability to bring to the appropriate authority a dispute and have such dispute heard in an attempt to fairly resolve the difference between the employee and the employer.

Article 7, Sections 7.1 through 7.3 of the Collective Bargaining Agreements establishes an outline for labor/management meetings. These meetings are to provide a mechanism for the discussing of mutual problems. It is the intent of these meetings to discuss problems of mutual concern with the understanding that, if possible, by mutual cooperation problems will be resolved before the utilization of the grievance procedure.

[22.4.1 Grievance Procedures](#)

[Scope of Matters Which May Be Disputed](#)

For employees covered under a Collective Bargaining Agreement, the grievance procedure is outlined in Article 8 of the Collective Bargaining Agreements.

For an employee not covered under a Collective Bargaining Agreement, the employee may proceed through the grievance procedure with a dispute of a matter to which the employee is obligated under the Miami Township Policies & Procedure Manual. It is not intended that the grievance policy be used to effect changes in the sections of the Policy & Procedure Manual or those matters which are controlled by the provisions of Federal or State Law.

Dispute Resolution Process

The employee shall within five calendar days of the time of the incident which led to the dispute meet with their immediate supervisor to discuss the incident. Both the employee and their immediate supervisor shall through discussion attempt to resolve the issue in dispute. The employee's immediate supervisor shall give the employee a verbal response within two working days of their formal discussion of the disputed issue.

Should the disputed issue not be resolved in verbal discussion with the employee's immediate supervisor, the employee may submit in writing to their Department Head the issue in dispute. The request for a formal dispute resolution must contain all the information listed in this directive to be considered by the Department Head. The employee must submit their written request to their Department Head within five calendar days of the date upon which they received the verbal answer from their immediate supervisor. The Department Head shall inquire into the issue in dispute and must within seven calendar days of receipt of the formal dispute notice, reply to the employee in writing as to their findings.

Should the disputed issue not be resolved through the formal inquiry and reply by the Department Head, the employee may request that the Township Administrator review the issue in dispute and render a decision. The employee must within five calendar days of receiving a written reply from their department head, request that the original written dispute notice be forwarded to the Township Administrator for review. The Department head will immediately forward the original written dispute notice to the Township Administrator, who must within seven calendar days of receipt of the dispute notice, render a written decision as to his findings of the disputed issue. At the discretion of the Township Administrator, a meeting of the employee, the employee's Department Head and Township Administrator may be held to discuss the issue in dispute. The decision rendered by the Township Administrator shall be final and no other steps shall exist in the dispute resolution process.

Information Required in a Formal Dispute Notice

- Aggrieved employee's name and signature.
- Date, time and location of dispute.
- Description of incident giving rise to the dispute.
- Section, article or regulation in dispute.
- Date dispute was first discussed.
- Name of supervisor with who dispute was first discussed.
- Date dispute was filed in writing.
- Desired remedy to resolve the dispute.

The required information to file a formal dispute notice shall be prepared in memo form and forwarded to the Department Head. It shall be the employee's responsibility to maintain a copy of the original dispute notice for their personal records.

An employee may withdraw a formal dispute from the process at any time, by notification in writing to their Department Head, or by permitting the time requirements to lapse without further appeal.

Time Limits

A dispute that is not answered by the employer's representative within the stipulated time limits shall automatically advance to the next level in the dispute resolution process.

A dispute must be presented at the proper level and within the proper time to proceed through the dispute resolution process.

Time limits contained within this policy may only be extended by mutual agreement and documented in writing on the dispute notice or supplemental page to the notice.

Representation

An employee who presents an issue in dispute for processing through the dispute resolution procedure shall be responsible for representing themselves at each level of the procedure.

22.4.2 Coordination / Control of Records

The Chief of Police shall be responsible for coordination of the Grievance Procedure for the Miami Township Police Department.

For an employee covered under the Collective Bargaining Agreement, the elected FOP representative of each bargaining group shall act as a coordinator of grievances for their bargaining group.

For an employee not covered under the Collective Bargaining Agreement, the employee shall bear the responsibility to maintain the documents associated with the personal filing of a dispute.

The Chief of Police shall maintain a file of disputes presented for resolution.

- During the period of resolution, dispute files will be maintained personally by the Chief of Police in his office.
- After resolution, the completed file will be stored in an administrative file by the Chief of Police.
- Disposal shall be in accordance with Ohio public records disposal procedures.

The grievance/dispute files are considered sensitive in nature and are maintained accordingly.

The union representatives shall have the responsibility for duplication and distribution of, and its own accounting for their copies of the dispute files.

22.4.3 Annual Analysis

In January of each year, the grievances/disputes filed the previous year will be analyzed by the Chief of Police to determine if there is a trend in filing grievances and, if so, a plan of action shall be developed and implemented to minimize the causes of such grievances/disputes in the future.

The annual analysis shall also include a review of supporting policies and practices. This review shall be documented in the annual analysis.