

STATE OF COLORADO

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

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Bill Ritter, Jr.
Governor

Policy Title: Grievance Procedure

H. Michael Edwards
Major General
The Adjutant General

Effective Date: 01 April 2009

Summary: Provides Procedure on Filing Grievances

Applicability: All State Employees of DMVA

Staff Proponent: Human Resources

Supersedes: 01 June 2004

A. Purpose: The grievance policy provides a mechanism for employees to follow in which to address concerns and/or problems in a systematic and formalized manner. The Department of Military & Veterans Affairs always encourages employees and supervisors to resolve their issues as informally and at the lowest possible level possible. In an attempt to reach early solutions either party may request mediation from Human Resources at any time.

B. Background: A grievance is an avenue to address problems and involves a step-by-step process in which the employee describes the grievance so it may be reviewed at various levels in the organization if needed.

C. Definitions: A grievance is something considered to afford just cause for complaint or protest; a complaint of unfair treatment.

D. Policy:

Employees who intend to initiate a grievance must notify the Human Resources office no later than 10 calendar days after the employee reasonably should have knowledge of the action/practice. The Human Resources office will be responsible for monitoring the grievance process at each step. General rules apply to each stage of this process and include the following: copies of all grievance materials must be sent to the Human Resources Office, timeframes may be waived by mutual agreement of all parties, referral of an issue to mediation stops the clock at any step in the process, and an employee may be represented by any person of the employee's choice at any step(s) of the grievance process. Accordingly, the following procedures shall be followed by all State Employees at the Department of Military & Veterans Affairs:

Step 1

- A. Employee shall make an attempt to resolve the grievance through an informal meeting which shall be convened by the immediate Supervisor and, at the employee's discretion, with the next level of supervision within 10 calendar days of knowledge of action/practice. If discrimination is alleged,

the employee should also file a complaint with the State Personnel Board, 633 17th Street, Suite 1320, Denver, CO, 80202-3660.

- B. The immediate Supervisor and/or the next level of supervision shall attempt to resolve and inform the employee of their decision, either verbally or in written format, within 7 calendar days after the grievance is initiated.

Step 2(a)

- A. If resolution at Step 1 does not resolve the matter to the employee's satisfaction, the employee may file a written grievance within 5 calendar days after conclusion of Step 1.
- B. The written grievance shall be sent either to the next level of supervision (if not involved in Step 1). A copy of the written grievance is provided to the Human Resources office by the employee.
- C. The written grievance shall state the complaint, the actions the employee has already taken to resolve the matter, and the relief requested.
- D. The next level of supervision shall schedule a meeting, investigate the issues, and provide a written decision within 5 calendar days of receipt of the written grievance.

Step 2(b)

- A. If resolution at Step 2(a) does not resolve the matter to the employee's satisfaction, the employee may present a written grievance and a copy of the decision from Step 2(a) to the Deputy Director within 3 working days after conclusion of Step 2(a).
- B. The Deputy Director shall schedule a meeting, investigate the issues, and review the information with The Adjutant General and render a final decision within 11 calendar days after receipt of the employee's written grievance. If the Deputy Director appoints another individual or panel to review and investigate the grievance, the individual or panel must schedule a meeting, investigate the issues, and draft a written recommendation for review by the Deputy Director within 6 calendar days after receipt of the employee's written grievance. The Deputy Director will discuss the written recommendation with The Adjutant General and render a final decision within 5 calendar days after receipt of the panel's written recommendation.

Step 3

- A. If the employee is not satisfied with the decision rendered at Step 2(b), the employee may file a petition for review with the State Personnel Board, 633 17th Street, Suite 1320, Denver, CO 80202-3660. The employee must state their petition in writing and include copies of all decisions rendered at Steps 2(a) and 2(b) within 10 calendar days after conclusion of the Department of Military and Veterans Affairs' formal grievance process.

Official:

H. Michael Edwards
The Adjutant General

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**DEPARTMENT OF MILITARY & VETERANS AFFAIR'S
STATE EMPLOYEE GRIEVANCE PROCEDURE
Personnel Rules, Chapter 8**

Step	Method	Timeframe	Employee	To	Management
1 Informal Process	Verbal	Within 10 calendar days of knowledge of action/practice.	Discusses problem <u>and</u> , if discrimination is alleged, files in writing with the Board	Immediate Supervisor and the next level of supervision at the Employee's discretion.	Attempts to resolve and inform employee of decision within 7 calendar days after grievance is initiated.
2(a) Formal Process	Written	Within 5 calendar days after conclusion of Step 1.	States complaint providing appropriate documentation and resolution requested.	Next level of supervision if not involved at Step 1. If next level was involved in Step 1, then proceed up to the next level of command.	Schedules a meeting, investigates issues, and provides a written decision within 5 calendar days of receipt of written grievance.
2(b)	Written	Within 3 working days after conclusion of Step 2(a).	States complaint providing original grievance and copy of written decision from Step 2(a).	Deputy Director who may appoint another individual or a panel.	Schedules a meeting, investigates issues, discusses with The Adjutant General, and provides a written decision within 11 calendar days of receipt of written grievance.
3 Board Review	Written	Within 10 calendar days after conclusion of DMVA's formal process.	Files petition for review with original grievance and final decision. Copy of petition sent to Human Resources.	State Personnel Board 633 17 th Street, Suite 1320 Denver, CO 80202-3660	Review of the record by the Board; hearing is discretionary.

***Copies of all written grievance materials must also be sent to the Human Resource's Office.**

***Timeframes may be waived by mutual agreement of all parties and must be documented in writing.**

***Referral of an issue to mediation stops the clock in this procedure and must be documented in writing.**

***An employee may be represented by any person of the employee's choice at any step(s) of the grievance process.**