

PERTAINING TO THE AMENDMENT OF CHAPTER 86 OF THE CODE OF CALVERT COUNTY.

WHEREAS, *Article 25*, Section 3(f) of the Maryland Annotated Code, as amended, authorizes and empowers the Board of County Commissioners of Calvert County, Maryland (hereinafter, the "Board of County Commissioners") to establish a merit system in connection with the appointment of all county officials and employees not elected or appointed under the Constitution or public general laws of the State;

WHEREAS, by Ordinance 42-09, the Board of County Commissioners did adopt such a merit system, which is codified at Title 86 of the Code of Public Local Laws of Calvert County, Maryland, being Title 86 of *Article 5* of the Code of Public Laws of Maryland (hereinafter, the "Code"), the Annual Budget and Appropriation Act each year;

WHEREAS, the Office of Personnel has recommended that the Board of County Commissioners adopt certain amendments to Chapter 86 of the Code, more specifically set forth below;

WHEREAS, a public hearing regarding the certain amendment of Chapter 86 of the Code was duly advertised in for two consecutive weeks before the public hearing held on March 12, 2013, at which time the Board of County Commissioners received public comment;

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of County Commissioners finds that it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to adopt certain amendments to Chapter 86 of the Code as set forth herein.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Calvert County, Maryland hereby approves and enacts the following amendment to Chapter 86 of the Code:

1. Section 86-3-103 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing section 86-3-103 of the Code in its entirety and adopting in its place the following:

§ 86-3-103. Step increases.

Subject to the availability of funds and the terms of the pay scale, the Board of County Commissioners grants step increases once per fiscal year as described below

A. The following employees shall be eligible for step increases:

- (1) Merit employees that have received a satisfactory or better performance evaluation shall be granted a step increase at the beginning of the fiscal year.
- (2) Full-time grant funded employees that have received a satisfactory or better performance evaluation shall be granted a step increase at the beginning of the fiscal year.

- (3) Part-time and part-time grant funded employees that have: (a) received a satisfactory recommendation from the Department Head; and (b) completed six months of service shall be granted a step increase at the beginning of the fiscal year.
 - (4) Hourly employees that have received a satisfactory recommendation from the Department Head, shall be granted a step increase at the beginning of the fiscal year provided they have completed one year of continuous service as an hourly employee.
 - (5) Returning seasonal employees shall be granted a step increase at the beginning of the fiscal year provided they are returning to the same position held previously as a seasonal employee.
- B. If a part-time or part-time grant funded employee moves to a job with a different title, they must complete six months of service in the new title prior to receiving the increase.
 - C. Probationary employees are not eligible to receive step increases. If an employee is on probation and ineligible for the step increase, they shall be eligible for a step increase upon completion of the probationary period if they have received a satisfactory performance evaluation and a favorable recommendation from the Department Head and if they began their probation prior to the first day of the pay period that the increase was granted.
 - D. If the County Sheriff has established a probationary period in excess of one year, deputy sheriffs shall be eligible for a step increase upon completion of one year of service, and each July thereafter if they have received a satisfactory performance evaluation and a favorable recommendation from the Sheriff and if their probationary period began prior to the first day of the pay period that the increase was granted. The granting of such a step increase shall not be construed as successful completion of the probation.
 - E. All step increases shall be effective at the beginning of the pay period that is closest to July 1. If July 1 falls exactly in the middle of a pay period, the step increase shall be effective at the beginning of that pay period.
2. Section 86-3-106 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing section 86-3-106 of the Code in its entirety and adopting in its place the following:

§ 86-3-106. Shift differential pay.

Shift differential is paid to those eligible employees working qualifying shifts as set forth below:

- A. Eligible employees are Communications Officers, Correctional Officers, and Deputy Sheriffs.

- B. Qualifying shifts are all shifts except day shifts. Shifts that are considered day shifts do not qualify for shift differential. Day shifts are shifts that begin between the hours of 6:00 a.m. and 9:00 a.m.
 - C. Shift differential will be paid for hours worked between 4:00 p.m. and 8:00 a.m. by eligible employees working qualifying shifts.
 - D. Shift differential is paid for hours worked, but not for hours on paid or unpaid leave.
 - E. The shift differential rate is established in each approved annual budget for the County.
 - F. The Director of Personnel or her/his designee must review all requested shifts to ensure compliance with policy.
3. Part 3, Article II, Overtime and Compensatory Leave Policy, of Chapter 86 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing that Article in its entirety and adopting in its place those provisions set forth at Exhibit "A" hereto, made a part hereof and incorporated herein by reference;
4. Section 86-3-601 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing section 86-3-601 of the Code in its entirety and adopting in its place the following:

§ 86-3-601. Holidays.

The Board of County Commissioners shall observe the following holidays: New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, General Election Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving, and Christmas Day. These shall be observed on the same day as the State unless otherwise authorized by the Board of County Commissioners. General Election Day will be as designated by the State. The Board of County Commissioners may designate additional holidays by majority vote on an ad hoc basis from time to time.

5. Sections 86-4-501 and 86-4-502 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing sections 86-4-501 and 86-4-502 of the Code in its entirety and adopting in its place the following:

§86-4-501. Eligibility.

Merit employees and part-time and grant-funded employees regularly scheduled to work 50% or more of the normal pay period are eligible for jury leave in accordance with the terms of this article. Contractual and appointed employees are eligible for jury leave only if such leave is granted by an express term of their employment contract or appointment, respectively. Employees not eligible for

jury leave shall be entitled to an unpaid leave of absence in accordance with §86-4-1101.

§86-4-502. Application.

A. An eligible employee who is summoned and appears for jury service:

- (1) Shall present their orders to their supervisor upon receipt.
- (2) Shall be permitted to be absent from work without loss of pay and without charge against leave.
- (3) Shall retain compensation received for jury service.
- (4) Shall report to their supervisor for duty if the employee's service is not required as a jury member or upon completion of service for the day, unless the employee serves four (4) or more hours, including travel time, and is scheduled to work a shift that begins on or after 5:00 pm on the day of jury service or before 3:00 am on the day following jury service.

6. Sections 86-4-801 and 86-4-802 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing sections 86-4-801 and 86-4-802 of the Code in its entirety and adopting in its place the following:

§ 86-4-801. Eligibility.

Merit employees and part-time and grant-funded employees are eligible for administrative leave in accordance with the terms of this article. Contractual and appointed employees are eligible for administrative leave only if such leave is granted by an express term of their employment contract or appointment, respectively.

§ 86-4-802. Definition.

A. Paid administrative leave may be granted to eligible employees for regularly scheduled hours during which they are not required to work under the following conditions:

- (1) Leave which may be granted by the Board of County Commissioners:
 - (a) To relieve an employee of duty for an indeterminate time pending the resolution of any issue involving such employee if, in the judgment of the Board of County Commissioners, the effectiveness of Government would be best served by granting such leave.

- (b) When the County Government closes or opens late due to an unforeseen event which prevents employees from reaching their work place or which may affect their safety and welfare during the course of the normal workday.
 - (c) For other reasons at the discretion of the Board of County Commissioners.
- (2) Leave which may be granted by the County Administrator:
- (a) To relieve an employee of duty if an unsafe or unhealthy working condition arises in any County facility.
 - (b) For other reasons at the discretion of the County Administrator.
- (3) Leave which may be granted by Department Heads:
- (a) To relieve an employee of duty for an indeterminate time pending the resolution of any issue involving such employee if, in the judgment of the Department Head, the effectiveness of Government would be best served by granting such leave. Department Heads shall inform the Board of County Commissioners of this action.
7. Section 86-4-1003 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing section 86-4-1003 of the Code in its entirety and adopting in its place the following:

§ 86-4-1003. Authorized uses.

A. Sick leave may be used for:

- (1) Incapacitating sickness or disability including maternity when medically necessary on the part of the mother or the infant;
- (2) Quarantine confinement;
- (3) Child care responsibilities associated with adoption or placement of the child with the employee is not to exceed five days. This may be used only once per child for either the adoption or the placement;
- (4) Parental responsibilities associated with birth, not to exceed five days per birth;
- (5) Illness of a family member living in the home of the employee, or an employee's parent or child regardless of their place of residence, when no other responsible adult is available to care for the family member and care is required. For purposes of this subsection, the term parent means the biological parent of the employee or employee's spouse or an individual who stood in loco parentis (in place of a parent) to an

employee or employee's spouse when the employee or employee's spouse was a child. The term child means a biological, adopted or foster child, a stepchild or a legal ward of an employee or employee's spouse or an individual to whom the employee or employee's spouse stood in loco parentis when the individual was a child;

- (6) Necessary medical or dental appointments of the employee or an individual as described in Subsection A(5) above when unable to attend the appointment alone and when no other responsible adult is available; or
- (7) Death in an employee's family including death of a spouse, child, parent, step-parent, step-child, sibling, grandparent, grandchild, great-grandparent, or in-law (parent, son, daughter, sister, or brother), not to exceed five days per death.

B. If an employee becomes ill or injured while on annual, personal, compensatory, or other paid leave, the period of such incapacity may be changed to sick leave if the employee so requests. A supervisor may request medical documentation from a physician.

8. Part 10, Articles I and II of Chapter 86 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing that Part in its entirety and adopting in its place those provisions set forth at Exhibit "B" hereto, made a part hereof and incorporated herein by reference.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that Chapter 86 of the Code, as amended hereby, shall remain in full force and effect.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless deletion of the valid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Ordinance.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are hereby incorporated and adopted as if fully set forth.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this Ordinance shall be adopted and effective upon recordation, which shall be no sooner than ten (10) days from the date of adoption.

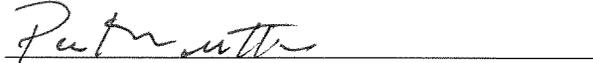
DONE, this 12th day of March, 2013, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 4
Nay: 1 - Slaughenhaupt
Absent/Abstain: 0

ATTEST:

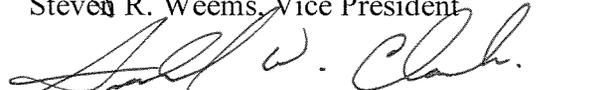
BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND


Maureen Frederick, Clerk

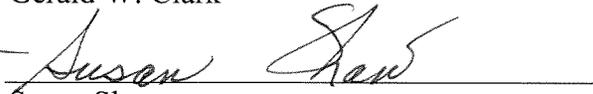

Pat Nutter, President

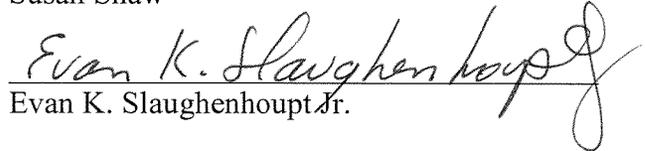

Steven R. Weems, Vice President

Approved for legal sufficiency on
March 25, 2013 by:


Gerald W. Clark


John B. Norris, County Attorney


Susan Shaw


Evan K. Slaughenhaupt Jr.

Received for Record 3/27 2013
at 9:59 o'clock A.M. Same day
recorded in Liber KPS No. 42
Filed 26 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.



ARTICLE II
Overtime and Compensatory Leave Policy

§ 86-3-201. Overview.

The Board of County Commissioners pays overtime in accordance with the requirements of state and federal law. In some instances, the Board of County Commissioners pays overtime not required by state or federal law as specified herein. Either overtime pay or compensatory leave may be provided by the Department Head.

§ 86-3-202. Exemptions.

Employees defined as Executive, Administrative, or Professional in accordance with federal law are ineligible for the payment or receipt of overtime and compensatory leave, except as noted in § 86-3-204. D.

§ 86-3-203. Overtime policy.

It is the policy of the Board of County Commissioners to restrict authorization of work that would result in overtime pay or compensatory leave to emergency situations or situations involving a temporary increase in the quantity of work such that the work cannot be performed during regularly scheduled work hours. A Department Head must preauthorize all work that would result in the Board of County Commissioners' obligation to pay overtime or compensatory leave. Department Heads are required to give notice to the County Administrator of all such authorizations before the work is performed. The supervisor may adjust the regular work schedule of any employee such that an employee does not actually work in excess of their regularly scheduled number of hours in any one workday or workweek. The County Administrator may implement policies and procedures to manage the accrual of overtime pay and/or compensatory leave and the reduction of overtime pay and/or compensatory leave in accordance with this Article II.

§ 86-3-204. Overtime compensation/Compensatory leave.

- A. Nonexempt Full-time Employees shall receive overtime compensation or compensatory leave at the rate of 1½ times their regular hourly rate, including shift premiums if applicable, for all hours worked in excess of their regular daily schedule, unless another schedule is elected.
- B. Nonexempt Part-time, Hourly, Seasonal and Temporary Employees shall receive overtime compensation or compensatory leave at the rate of 1 time their regular hourly rate for each hour worked in excess of their regular schedule for that day up to 40 hours in any one workweek, unless another schedule is elected.
- C. Nonexempt Part-time, Hourly, Seasonal and Temporary Employees shall receive overtime compensation or compensatory leave at the rate of 1½ times their regular hourly rate, including shift premiums if applicable, for all hours worked in excess of the statutory maximum of 40 hours in any one workweek, unless another schedule is elected.
- D. Exempt Full-time, Part-time, Seasonal and Temporary Employees may earn compensatory leave at the rate of 1 hour for each hour worked in excess of their regular schedule for that day, for emergency situations as determined in accordance with § 86-3-203, unless another schedule is elected by the Department Head.

- E. For partially exempt Public Safety Employees, the Department Head may establish an extended work period not to exceed 171 hours in any twenty-eight-day period. If so established, such employees may receive overtime compensation or compensatory leave at the rate of 1½ times their regular hourly rate, including shift premiums if applicable, for hours worked in excess of 171 in the extended work period.
- F. Paid leave time shall be counted as hours worked for purposes of calculating entitlement to paid overtime or compensatory leave.

§ 86-3-205. Compensatory leave.

- A. According to federal law, other than partially exempt Public Safety and Seasonal Employees, Nonexempt Employees may accrue up to 240 hours of compensatory leave for hours worked. Partially exempt Public Safety and Seasonal Employees may accrue up to 480 hours of compensatory leave for hours worked.
- B. Exempt Employees may accrue up to 240 hours of compensatory leave for hours worked. The County Administrator may limit this accrual to less than 240 hours.
- C. Employees shall be permitted to use accrued compensatory leave after making a request provided the requested use shall not unduly disrupt the operations of the County and the affected departmental unit(s). Compensatory leave must be used within six months. Employees may be required to use compensatory leave before other leave or may be scheduled off to reduce compensatory leave balances.
- D. Upon termination, an employee shall be paid for unused compensatory leave at the average regular rate during the last three years of employment, or the employee's final rate, whichever is higher.

§ 86-3-206. Volunteers.

County employees may not perform volunteer services for the County (including any of its constituent agencies) of the same type they are regularly employed to perform.

§ 86-3-207. Multiple County jobs.

Full-time County employees shall be ineligible for selection to work a second County job. Part-time, Hourly, and Seasonal County employees may be eligible for selection to work additional County jobs, provided the totals hours worked do not normally exceed 40 per week. They shall be compensated for the additional job in accordance with the applicable wage rates for that job. Hours worked in additional jobs within County employment shall be counted for purposes of calculating overtime payable to the employee in the designated work week. Overtime, if any, shall be paid at 1½ times the regular rate of the job where overtime is worked. Hours from each job shall not be combined to establish eligibility for leave or benefits or to increase leave and/or benefit accrual rates.

§ 86-3-208. Emergency call-in.

Nonexempt Employees who are called in to work from off-duty to respond to an emergency (as determined by the department and approved by the County Administrator) shall be compensated for a minimum of two hours, inclusive of travel time to and from the emergency site. Except as specified below, Nonexempt Employees shall be paid at the rate of 1½ times their regular hourly rate, and Exempt

Employees shall receive straight time compensatory leave. When the difference between the time of commencement of the call-in and the beginning of their next scheduled work hours is less than two hours, the employee shall be paid only for the difference. At the beginning of the scheduled hours, the regular hourly rate shall apply. Employees shall be eligible to receive call-in pay only once during a 24 hour period.

§ 86-3-209. Compounding prohibited.

There shall be no compounding of overtime, leave, holiday and other payments unless otherwise specified. Only one rate, the highest, shall apply.

§ 86-3-210. Future amendment/conflicts.

The Board of County Commissioners may, from time to time, amend this policy in any manner not inconsistent with law. County documents or resolutions which conflict with this policy are hereby repealed to the extent of such conflict.

Part 10
Grievance Procedure

ARTICLE I
Overview

§ 86-10-101. Definition.

- A. For the purpose of this Part, the word "grievance" means a complaint by an employee alleging that their wages, benefits or conditions of employment have been adversely affected by an act or acts of a Supervisor or Department Head contrary to the terms of this Chapter. A grievance may not be filed by anyone other than the allegedly affected employee.
- B. The grievance process and all related materials are confidential and are the property of the Board of County Commissioners, except that an employee who has filed a grievance may have access to his or her file concerning that grievance.

§ 86-10-102. Policy.

The means of redress afforded by this Part 10 shall be available only to full-time merit and full-time grant employees, and part-time and part-time grant employees regularly scheduled to work 50% or more of the normal pay period who have completed six months of service. It may not be utilized by any employees in their initial probationary period or any temporary, hourly, seasonal, appointed or contract employees, or part-time or part-time grant employees regularly scheduled to work less than 50% of the normal pay period. The Director of Personnel shall be responsible for overseeing the processing of all employee grievances to ensure they are filed and processed in accordance with this Chapter. Supervisors and Department Heads shall keep the Director of Personnel informed of all grievances in progress.

All grievance proceedings shall be closed to the public.

§ 86-10-103. Nongrievable issues.

The following are not grievable issues and are not subject to the grievance procedure:

- A. Performance ratings, unless the overall rating is unsatisfactory or needs improvement. If the rating of unsatisfactory or needs improvement results in denial of a merit increase, such denial may be included in the grievance protesting an overall rating of unsatisfactory or needs improvement;
- B. Position classifications;
- C. Any adverse action taken against an employee during that employee's initial probationary period;
- D. Nonselection for a position or promotion;
- E. Action terminating a temporary promotion and returning the employee to position previously held;
- F. Job descriptions, including objectives and critical elements of performance standards;

- G. A separation due to reduction in force from a group of employees on a retention register and due to lack of funds or abolishment of position;
- H. The content of a policy of the Board of County Commissioners, although the application of a policy may be grievable.
- I. A decision made or action taken by the Board of County Commissioners or County Administrator; however, disciplinary actions by the County Administrator other than verbal counseling may be grievable.
- J. Action taken by the Director of Personnel in the course of administering the grievance procedure;
- K. Personal conduct of another employee, unless it involves alleged sexual harassment or workplace violence in which case, a complaint may be filed in accordance with the Board of County Commissioners' stated policies and procedures where alleged sexual harassment or workplace violence is alleged;
- L. Verbal counseling;
- M. Lack of a pay increase due to a Board of County Commissioners' decision not to fund or provide same.

ARTICLE II Procedures

§ 86-10-201. Eligibility for seeking redress.

Any full-time merit or full-time grant employee, and part-time and part-time grant employee regularly scheduled to work 50% or more of the normal pay period who has successfully completed their initial probationary period and thereafter believes that their wages, benefits, working conditions or employment have been improperly affected by an act or acts of a Supervisor or Department Head contrary to the terms of this Chapter have the right to seek redress of their grievance in the following manner.

§ 86-10-202. Invoking the grievance procedure for a written warning or for other events (excluding involuntary demotion, suspension, or termination).

- A. Within ten working days following receipt of written notice or the occurrence of the event or events grievable pursuant to this Section, the employee must file a written grievance on a Grievance Report Form with their immediate Supervisor setting forth in succinct terms all grounds for the grievance, and a copy of the grievance must be filed that same day by the employee with the Director of Personnel. Failure to file a timely grievance shall constitute a waiver of the employee's right to grieve the adverse action complained of.
 - (1) Step 1. Within five working days of the date on which a timely grievance is filed, the aggrieved employee and their immediate Supervisor shall meet to discuss the grievance. Within five working days following the date of that meeting, the Supervisor shall advise the aggrieved employee in writing of the Supervisor's position on the grievance.
 - (2) Step 2. If the grievance is not resolved or explained to the satisfaction of the aggrieved employee at Step 1, then within five working days following receipt of the Supervisor's written response, the aggrieved employee may request a meeting with their Department

Head to discuss the matter. The employee and their Department Head shall meet within five working days after the employee's request is received by the Department Head, and the Department Head shall advise the aggrieved employee of the Department Head's position in writing within five working days following their meeting.

- (3) Step 3. If the grievance is still unresolved to the employee's satisfaction, following receipt of the Department Head's written position, then the employee, within five working days of receipt of the Department Head's written position, may request the Director of Personnel to meet with them and the Department Head for further discussion of the matter. That meeting shall be held within ten working days following receipt by the Director of Personnel of the aggrieved employee's request. The Department Head shall advise the aggrieved employee of their position in writing within five working days following their meeting. The decision of the Department Head shall be final and binding on the parties.

§ 86-10-203. Invoking the grievance procedure for involuntary demotion, suspension, or termination.

- A. To invoke the grievance proceedings for an involuntary demotion, suspension or termination, the aggrieved employee must file a written grievance on a Grievance Report Form setting forth in succinct terms all grounds for the grievance and submit the original form to the Director of Personnel within ten days of the grievable event or events. The Personnel Director shall appoint a Grievance Board. The Grievance Board shall consist of four employees not from the aggrieved employee's department. Two shall be supervisory, and two shall be nonsupervisory selected at random by the Director of Personnel or her/his designee. No more than one Department Head, if any, may serve. All shall be full-time merit employees unless a Department Head is selected, who may also be a contract employee. The Grievance Board shall meet to hear the unresolved grievance within 20 working days following its appointment. The hearing shall be conducted in accordance with procedures established by the Director of Personnel. The grievant and any witnesses they may wish to testify on their behalf shall have the right to appear before the Grievance Board and present evidence in support of the grievant's position. The aggrieved employee's Department Head or designee shall have the same right to appear before the Board and present their position, including witnesses in support thereof. Failure to file a timely grievance shall constitute a waiver of the aggrieved employee's right to grieve the adverse action complained of.
- B. The Director of Personnel shall assist the Grievance Board and the parties to the grievance hearing in making sure that all of the evidence relevant and material to the issue is presented to the Grievance Board for its consideration. The Director of Personnel, however, shall not be a member of or have a vote on the Grievance Board. Within 30 calendar days following the conclusion of the hearing, the Grievance Board shall prepare and submit to the Board of County Commissioners a written report containing its findings, conclusions and recommendations. Copies of the Grievance Board's report shall be given to the Grievant, the aggrieved employee's Department Head and the Director of Personnel at the time of transmission to the Board of County Commissioners.
- C. The Board of County Commissioners shall review the findings, conclusions and recommendations of the Grievance Board and advise the parties to the dispute of their determination at the next scheduled meeting of the Board of County Commissioners, or no later than 30 calendar days following receipt of the Grievance Board report and recommendation.

- D. The Board of County Commissioners shall have full discretion to adopt or reject the recommendation of the Grievance Board in whole or in part or to remand the matter to the Grievance Board for further consideration and resubmission. The determination by the Board of County Commissioners, or the Board of County Commissioners' final decision following remand or resubmission, shall be final and binding on the parties.

§ 86-10-204. Recusal of Director of Personnel.

Where a timely grievance is filed by an employee of the Office of Personnel, the Director of Personnel shall recuse him or herself from participation in the grievance procedure except as the interested Department Head, and the Director's role in the orderly operation of the grievance procedure shall be assumed and performed by the County Administrator.

§ 86-10-205. Grievance Report Form.

All grievances shall be submitted in writing on the standard Grievance Report Form available in the Office of Personnel and shall include the following information:

- A. Employee name;
- B. Employee class title;
- C. A succinct statement of the reason for the grievance and the section(s) of this eChapter allegedly violated;
- D. The date on which the grievance arose;
- E. The relief sought;
- F. Names of witnesses the grievant plans to ask to testify, if applicable (§ 86-10-203A. only); and
- G. Name of attorney, if grievant intends to be represented (§ 86-10-203A. only).

§ 86-10-206. Filing timely grievances.

- A. Grievances must be timely filed in accordance with the grievance procedure provisions of this Chapter in order to invoke the grievance procedure. Once a timely grievance has been filed, it should be processed without delay by all parties, unless there is mutual agreement between the party seeking to extend a time limit and the Director of Personnel on the need for an extension of time to comply with any step of the grievance procedure.
- B. In the event a grievant fails to adhere to any of the time limits set forth in this article, the grievance shall be considered satisfied and resolved on the basis of the last statement of position received by the grievant.
- C. Where a Supervisor or Department Head fails to adhere to any of the time limits set forth herein, the grievance shall automatically proceed to the next step in the grievance procedure.
- D. For the purposes of the time limits specified in Part 10, a working day shall mean any day Monday through Friday, excluding County holidays and administrative leave days granted by the Board of County Commissioners.

§ 86-10-207. Employee rights.

An aggrieved employee shall have the right to have a fellow employee present during any step of the grievance procedure or to be represented by an attorney at a Grievance Board hearing regarding an involuntary demotion, suspension or termination. The presentation of any grievance without fear of reprisal shall be considered the right of each employee.