



Peoria Police Department Policy and Procedure Manual

Policy 3.09

Grievance Procedures



I. POLICY

It is the policy of the Peoria Police Department to provide a just and equitable method for the prompt resolution of grievances without discrimination, coercion, restraint, or reprisal against any employee who may submit or be involved in a grievance.

II. PROCEDURE

A. Responsibilities

1. Representation. An employee, at any time during the grievance process, has the right to have a person (one person) of their choice present at any and all meetings, interviews, etc. (See Policy #5.01 Administrative Investigations/Discipline). (25.1.1.e)
2. Informal Grievance Procedure. Prior to initiating a formal grievance, an employee has the responsibility of attempting resolution of the problem via the informal grievance procedure as follows:
 - a. An employee who has a problem or complaint should try to settle it through discussion with their immediate or the appropriate supervisor, at a mutually satisfactory time and without undue delay.
 - (1) Every effort should be made to find an acceptable solution by informal means at the lowest possible level of supervision.
 - (2) Informal procedures must be commenced within five (5) working days of the incident giving rise to the grievance. (25.1.1.d)
 - (3) This policy section does not supercede the City of Peoria Personnel Administrative Regulation grievance procedures or the procedures established within any applicable Memorandum of Understanding.
 - b. The supervisor receiving the informal grievance shall notify the chain of command, in memorandum form, as soon as the informal grievance is initiated.
 - (1) An electronic mail shall be provided to the next level of supervision advising of the grievance.
 - (2) This e-mail shall be provided to the office of the Chief of Police by the next normal business day.
3. Formal Grievance. Employees who cannot satisfactorily resolve their complaint via the informal grievance process may file a formal grievance in accordance with Administrative Regulations 90-03, Section 62.
 - a. All grievances will be logged and coordinated by the Professional Standards Unit. (25.1.2)
 - b. The supervisor receiving the formal grievance shall notify the chain of command, in memorandum form, when he/she receives the grievance.
 - (1) An electronic mail shall be provided to the next level of supervision advising of the grievance.
 - (2) This e-mail shall be provided to the office of the Chief of Police by the next normal business day.
 - c. A copy of the grievance shall be immediately sent up the chain of command for review and tracking purposes.

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4. Peoria Police Department supervisors have the responsibility to (after conferring with their immediate supervisor and the Professional Standards Unit):
 - a. Inform the employee if the complaint is properly within the scope of the grievance procedure and, if not, to advise the employee of the applicable procedure to resolve the problem. (25.1.1.a)
 - b. Inform the employee of any limitation of the department's authority to fully resolve the grievance.
 - c. Supply the employee with the necessary procedural information to process their grievance properly.
 - d. Submit responses, in writing, after review and approval by the Office of the Chief of Police, to the grievant affirming or denying the allegation(s) as well as any remedial action(s) or adjustment(s) to be made.
 - e. Meet in person with the employee during the formal steps of the appeal if appropriate.
 - f. Acknowledge receipt of written grievances by indicating the date and time received and the supervisor's initials on the City of Peoria grievance form.
 - g. Analyze the facts or allegations prompting the grievance and provide a narrative, through the chain of command, to the Office of the Chief of Police.
5. Questions concerning the administration of the grievance procedure should be directed to the Professional Standards Unit. (25.1.2)

B. Memorandum of Understanding (MOU) Grievance

1. An MOU grievance is a written allegation by a unit employee, submitted in a timely manner, alleging a specific violation of the terms of their MOU which are alleged to be violated and the specific remedy requested. The grievance must: (25.1.1.c)
 - a. State the facts upon which it is based.
 - b. Specify the MOU provision that was violated and the harm done.
 - c. State the remedy or adjustment sought.
2. Employees should consult their respective MOU's for the MOU grievance procedures that apply to them.

C. Administrative Regulations Grievance

1. The Administrative Regulations grievance procedures do not apply to allegations claiming violation(s) of the specific express terms of a negotiated Memorandum of Understanding (MOU).
 - a. Should management and the official representative recognized by an MOU mutually agree that a particular complaint is not grievable under its negotiated procedure, or if the affected employee is not covered by an MOU, the employee may apply for relief under the provisions of the Administrative Regulations. (25.1.1.c)
 - b. Peoria Police Officer's Association (PPOA) covered employees may utilize the PAR grievance procedure to grieve a MOU issue, or they can use the MOU form and procedure. This choice does not apply to any other group or employee. They shall not submit a PAR Grievance and MOU Grievance for a related issue.
2. A "grievance" is any dispute regarding the meaning, interpretation, or alleged violation of the Administrative Regulations. This includes any written allegation by an employee concerning the interpretation or application of rules and regulations governing personnel practices, Peoria Police Department work rules, working conditions, or alleged improper treatment of an employee, in which the complaint has not been resolved satisfactorily in an informal manner between the employee and their immediate supervisor. A grievance must: (25.1.1.a)

- a. Set forth a clear indication of unfairness resulting in harm or damage to the aggrieved employee.
 - b. Arise out of an act or omission of management related directly to Peoria Police Department working conditions or to the employment relationship.
 - c. Concern a matter within the control of the City of Peoria.
 - d. State the relief sought. (The relief must be within the authority of the City of Peoria in whole or in part.)
3. Employees filing Administrative Regulations grievances will comply with the provisions of the Administrative Regulations.

D. Response Time Limits (25.1.1.b.and d)

- 1. Failure by the supervisor to respond within the time limits specified in any MOU or Administrative Regulations shall entitle the employee to submit the grievance to the next level of review as established in the employee's MOU or the Administrative Regulations.
- 2. The failure of the employee to comply within the limit will automatically result in the termination of the grievance.
- 3. Parties involved in a grievance may mutually extend time limits by advance written agreement as described in the applicable grievance procedure outline.

E. Grievance Form: City Grievance Forms will be used for both MOU and Administrative Regulations grievances. The appeal and disposition will be on the same form. A separate form will be completed for each step of the grievance.

- 1. The employee filing the grievance will remove their copy of the completed form and forward the remaining copies to their supervisor. If the employee does not receive a copy, one will be provided by the supervisor.
- 2. The supervisor will respond and forward the finalized copies to the Chief of Police through their Bureau Lieutenant/Manager, Deputy Chief and/or Commander.
- 3. The Professional Standards Unit and the employee's Peoria Police Department personnel file will be the only locations within the Peoria Police Department where the grievance will be filed and securely maintained once the grievance has been completed. (25.1.2) The City of Peoria Human Resources Department maintains the original grievance file.
- 4. The Professional Standards Unit shall forward the annual analysis of all Peoria Police Department grievances, filed to the Chief of Police, at the end of January of the following year. (25.1.3)

F. Paid Time

- 1. Time spent outside the employee's work shift in pursuit of the benefits provided in this policy shall not be calculated as time worked.
- 2. Time spent within the employee's regular work shift in pursuit of benefits provided in this policy shall be counted as time worked.
- 3. An employee is not guaranteed time during their regular duty hours to pursue the grievance. The employee may be granted time for the grievance dependant on workload demand.

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