

Interest: The Association believes the final step of the grievance procedure should be before a neutral arbitrator for a final binding decision. A neutral arbitrator will alleviate the real or perceived bias that may come into play when the decision makers in the grievance procedure have regular interaction with the grievant.

Proposal: The Association proposes to add a neutral arbitrator as the final step of the grievance procedure.

4.3 – GRIEVANCE PROCEDURE

STEP 1: Within sixty (60) calendar days after the occurrence of the events on which the grievance is based, the grievance shall be submitted in writing by the employee or his/her representative to the immediate supervisor. The supervisor shall meet and discuss the grievance with the employee and his/her representative, if any, and reply in writing to the employee within ~~five (5)~~ seven (7) calendar days.

STEP 2: In the event that a mutually satisfactory solution has not been reached, the employee or his/her representative may submit the written grievance within ~~five (5)~~ seven (7) calendar days to the next level of supervision. The second level supervisor or his/her representative shall have seven (7) calendar days to investigate and render a written decision.

STEP 3: If a mutually satisfactory resolution has not been reached, the employee or his/her representative has ~~five (5)~~ seven (7) calendar days to submit the grievance in writing to the department head. After the receipt of the grievance, the department head or his/her representative shall have fourteen (14) calendar days in which to schedule such investigations or hearings as deemed necessary and render a written decision.

STEP 4: If a mutually satisfactory resolution has not been reached, either party shall, within seven (7) calendar days of issuance of the Department Head's written response, request the Human Resources Director to attempt to mediate the grievance. The Human Resources Director or his/her representative shall have fourteen (14) calendar days to schedule the mediation step. Either party may refuse to participate in mediation, without prejudice.

STEP 4: If the grievant is not satisfied with the decision at the fourth level, he/she may within seven (7) days submit the request in writing to the Human Resources Director or his/her representative for outside arbitration. Upon receipt of the appeal, the Human Resources Director or his/her representative shall contact the State Mediation and Conciliation Service (SMCS) to provide, in accordance with its normal and customary procedures, a list of names of neutral parties who may serve as an arbitrator. Upon receipt of the list from SMCS, the County and UNION shall meet and alternatively strike names from the list until the name of one individual remains, who shall serve as the arbitrator. The employee and the County shall

share the fees and expenses of the arbitrator equally. A court reporter may be included in the proceedings upon mutual agreement of the parties, the cost of which shall be shared equally between the parties. All other expenses shall be borne by the party incurring them and neither party shall be responsible for the cost or expenses of witnesses called by the other party. A party requesting a transcript of the arbitration shall bear the cost thereof. The decision rendered by the arbitrator shall be final and binding on all parties.

~~4.4 – INITIATION OF PROCEEDINGS~~

~~If the grievance is not settled through the prior steps, the employee may submit a formal complaint in accordance with Chapter 3, Sections 3.08.300 – 3.08.340. Section 3.08.320 shall not be applicable to grievances.~~