

# Grievances

**Index Code: 705**

**Effective Date: 01/01/06 (Revised 12/01/11)**

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## **I. Purpose**

The purpose of this directive is to establish procedures for handling grievances submitted by employees of the Office of the Sheriff.

## **II. Policy**

It is the policy of the Office of the Sheriff to encourage all employees to make a concerted effort to resolve differences in an informal manner through meetings and discussions with supervisors or others with whom there is a difference of opinion on work related issues. However, when informal mechanisms fail to produce a satisfactory outcome, the following process has been established as a means by which fair and impartial decisions will be made.

Except to the extent that sworn employees may have alternative appeal rights conferred through the Law Enforcement Officers Bill of Rights (LEOBR), all non-probationary employees of the Office of the Sheriff are covered by the grievance procedures outlined in this directive.

## **III. Grievance/Appeal Defined**

The terms grievance and appeal are often used interchangeably. A grievance (or appeal) is defined here as a formal complaint made by an employee concerning some aspect of the employment relationship with the Office of the Sheriff. Usually a grievance entertains a difference of opinion or dispute between the employee and the Office regarding the meaning, interpretation or application of expressed terms of agreement, such as policies, directives, standard operating procedures, rules, orders, or allegation that directions or actions of their supervisor constituted a violation of policy or directive.

Any difference of opinion or dispute concerning a matter subject to governance by the Queen Anne's County Commissioners or the Queen Anne's County Department of Human Resources, or mandated by Queen Anne's County Code or other applicable law is not considered a grievance under this directive.

## **IV. Grievance Procedures**

A. Employees of the Office of the Sheriff are prohibited from contacting the Queen Anne's County Commissioners, the County Administrator, or the Department of Human Resources concerning any matter of grievance, unless it relates directly to issues under the jurisdiction of the Department of Human Resources (i.e., issues concerning County authorized benefits). In addition, matters concerning payroll should be directed toward the Department of Finance Department.

B. Probationary employees of the Office of the Sheriff have no rights under the grievance process.

C. A non-probationary employee filing a grievance must submit it in writing to the Undersheriff, via the chain of command, within thirty (30) days of the alleged incident, or thirty (30) days from when the alleged incident was first brought to the employee's attention. The grievance must provide specific information relative to the matter, and sufficient information to determine if the matter is, in fact, the subject of a grievance. If the subject of grievance is against the Undersheriff the grievance will be directed to the Sheriff, who will render a decision and is the final authority in those matters. At a minimum the following information must be provided when filing a grievance:

1. The affected deputy's name, assignment, and date filed.
2. The nature of the grievance.
3. The date(s) of occurrence. If the exact date is not known an approximate should be used.
4. The specific policy, directive, SOP, rule, or order alleged to have been violated.

5. The specific relief/remedy being requested.

D. Upon receipt of a written grievance the Undersheriff will render a decision, or present the case before a Personnel Review Board. If the Undersheriff renders a decision his recommendation will be forwarded to the Sheriff. If the Undersheriff presents the matter before a Personnel Review Board the Board will render a decision by majority vote and forward it to the Sheriff. The Sheriff is the final authority on all internal grievances.

E. Personnel Review Boards hearing grievances will be comprised of three members selected by the Undersheriff. The selected members will be comprised of the following ranks:

1. The Commander in charge of the affected member's Division will serve as Chairperson and present the grievance to the Board.

2. A supervisor the rank of Corporal or Sergeant.

3. A deputy of equal rank to the employee submitting the grievance.

F. A member of the Office of the Sheriff may not serve on a Personnel Review Board if the subject of the grievance involves that member.

G. The Personnel Review Board may request the employee who submitted the grievance, or any potential witness, to present oral testimony and/or answer any questions the Board may have in an effort clarify or seek additional information.

**V. Responding to Grievances**

The following procedures will be followed in responding to grievances.

A. Acknowledge receipt of the grievance by recording the date, time and person receiving the grievance.

B. Substantiate and analyze the facts or allegations submitted.

C. Affirm or denying in writing the allegations in the grievance within 15 days of the decision.

D. Identify the remedy or adjustment, if any, to be made.

**VI. Maintenance of Grievance Records**

Copies of Grievances will be placed in the employee's personnel file and afforded all protections due personnel records under Maryland law.

**VII. CALEA References:** 25.1.1a, 25.1.1b, 25.1.1c, 25.1.1d & 25.1.1e

**VIII. Proponent Unit:** Sheriff

**IX. Cancellation:** This directive cancels Index Code 705 dated 01/01/06

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Sheriff Gary Hofmann