

<b>THURMONT POLICE DEPARTMENT</b>			
<b>GENERAL ORDER</b>	Date Issued: June 6, 2007	Effective Date: June 6, 2007	Order No: <b>Chapter 23.0</b>
Authority: Chief of Police Gregory L. Eyer		Manual Page No:	
Subject: Grievance Procedures		Replaces Page No:	
CALEA Standard: 25	Distribution: <b>ALL</b>	Amends:	Number of Pages: 5
Related Documents:		Rescinds:	

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

**I. PURPOSE:**

To establish procedures for the handling of grievances for both sworn and civilian personnel.

**II. POLICY:**

It is the policy of the Thurmont Police Department to have in place, a formal administrative process for all Department personnel to resolve grievances that may occur with management in a fair and expeditious manner.

**III. DEFINITIONS:**

**GRIEVANCE:** is a complaint/dispute by an employee alleging that the Department has taken action or made a decision in the administration of a rule, plan or policy affecting an employee's terms or conditions of employment.

**IV. PROCEDURE:**

**A. General** – all grievances will contain the following minimum information:

1. A statement of the specific nature and basis of the grievance; and
2. The name and signature of the aggrieved employee.

3. A statement of the remedy or adjustment sought
4. Issues appropriate for the grievance process may include, but are not limited to the following:
  - a. Equal Employment opportunities or discrimination concerns.
  - b. Administrative action not subject to the disciplinary process.

**B. Administrative Guidelines:**

1. All time limits specified in this order are defined in terms of working days being Monday through Friday, with the exception of holidays as adopted by the Town of Thurmont. In the interest of prompt resolution of employee complaints, the action of each step in the grievance process should be taken as rapidly as possible, but not later than the prescribed time limit.

In the event of extenuating circumstances, a time limit may be extended by mutual agreement of the parties at that step.

2. If a grievance hearing is scheduled during an employee's work hours, the employee may attend the hearing at no loss in pay. The employee will not be paid (either straight time or overtime) if the hearing occurs during off-duty hours. Hearings are scheduled by the supervisor at each step in the process, with written notice to the employee, unless mutually agreed otherwise.
3. A standard Thurmont Police Department grievance form (TPD #23.0A) must be used to formally file an employee grievance. The form is designed to include the elements the grievance must contain, and it also provides space for an orderly accounting of significant times, dates and actions taken that are relevant to the grievance.
4. Grievance issues which have not been addressed at Step 1 of the process, will not be addressed at any step thereafter.
5. Employees shall have the right to appear with a representative of their choosing at any or all steps in the grievance process.
6. Failure of the employee to appeal a decision to the next higher step within the specified time period will constitute a withdrawal of the grievance, and will bar future action by the employee with respect to issues of the grievance at hand.

7. Failure of a supervisor to respond to a grievance within the specified time period will permit the employee to proceed to the next step in the process within the specified time period.
8. Employees may withdrawal grievances at any time by written notice prior to the final step in the process.
9. Specific persons in an employee's chain of command may be omitted if such persons are the subject of the alleged complaint.
10. All documentation concerning a grievance will become part of the personnel record of the employee involved.

**C. Procedural Steps:**

1. Employees are encouraged to make reasonable attempts to resolve grievance issue informally (verbally) at the time of or within the first few days of the adverse administrative act. However, if unsuccessful, employees shall formally file their grievance within ten (10) working days after the event, giving rise to the grievance, or within ten (10) working days following the time when the employee should reasonably have known of its occurrence.
2. Step 1: Immediate Supervisor
  - a. An aggrieved employee will first submit his/her grievance to their immediate supervisor.
  - b. The immediate supervisor will hear the employee, attempt to resolve the grievance, and respond in writing within five (5) working days.
3. Step 2: Deputy Chief of Police
  - a. If the employee is not satisfied with the decision of the immediate supervisor, the employee may request a hearing with and decision by the Deputy Chief of Police.
  - b. The appeal must be presented in writing within five (5) working days of the decision of the immediate supervisor.
  - c. Upon receipt of the appeal, the Deputy Chief of Police will hear the employee and respond in writing within five (5) working days.
4. Step 3: Chief of Police

- a. If the employee is not satisfied with the decision of the Deputy Chief of Police, the employee may request a hearing with and decision by the Chief of Police.
- b. The appeal must be presented in writing within five (5) working days of receipt of the decision of the Deputy Chief of Police.
- c. Upon receipt of the appeal, the Chief of Police will hear the employee in not less than five (5) nor more than twenty (20) working days and respond in writing within ten (10) working days of the hearing.
- d. The decision of the Chief of Police is final.

**D. Grievance Records:**

1. The Administrative Assistant to the Chief of Police will be responsible for the maintenance and control of all grievance records. These records are confidential and are to be treated as a personnel matter. Access to the files must be authorized by the Chief of Police.
2. The Chief of Police or designee will be responsible for an annual analysis of grievances during the month of January. The analysis will deal with grievances anonymously and will identify any trends in grievances filed, any steps which may be taken to minimize the causes of grievances, etc.
3. Copies of grievances will be forwarded to the following locations:
  - a. Employee's personnel file
  - b. Grievance master file
  - c. Employee

**ATTACHMENTS:**

Employee Grievance Form (TPD #23.0A)

**DOCUMENT DATES:**

Amended Date:

Review Date:

Review Date:

Rescinds:

Order Written by: Chief Gregory L. Eyler

Order Edited and Approved by: Chief Gregory L. Eyler

CALEA Standards included in this Order  
Chapter 25.1 - 25.1.3