

**McCLOUD COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:** Grievances  
**POLICY NUMBER:** 2180  
**ADOPTED:** November 12, 2002  
**REVIEWED:** August 17, 2015, August 8, 2018, October 14, 2020, 11-9-23  
**AMENDED:** September 14, 2015

**2180.10** This policy shall apply to all employees in all classifications.

**2180.20** The purpose of this policy is to provide a procedure by which employees may formally claim that he/she has been affected by a violation, misapplication, or misinterpretation of a law, District policy, rule, regulation or instruction.

**2180.30** Specifically excluded from this grievance procedure are subjects involving the amendment of state or federal law; District Board of Directors resolutions, ordinances or minute orders, including decisions regarding wages, hours and terms and conditions of employment.

**2180.40** Grievance Procedure Steps

**2180.41** Step 1: Informal Discussion with Supervisor Any employee who believes he/she has a grievance shall present the evidence thereof orally to his/her immediate supervisor within twenty (20) calendar days from the date of the action causing the grievance, except that in no event shall any grievance be accepted for consideration more than six (6) months from action claimed as its basis, regardless of the date of discovery. If the grievance directly involves the immediate supervisor, the grievant may go directly to the next higher level supervisor. Within seven (7) working days the immediate supervisor shall give his/her decision to the employee. If the decision does not satisfy the employee or is not given in the time frame, employee may initiate Step 2 of the grievance process.

**2180.42** Step 2: Formal Written Grievance Employee will initiate the formal grievance by submitting a written statement fully detailing the fact(s) surrounding the grievance, the provisions of agreements or policies alleged to have been violated, and the proposed relief being sought. This formal grievance will be submitted to the supervisor in charge within seven (7) working days after receipt of immediate supervisor informal response or failure to respond within the time limit. The supervisor shall within seven (7) days deliver a decision in writing to the employee. If the decision does not satisfy the employee or is not given in the time frame, employee may initiate Step 3 of the grievance process.

**2180.43** Step 3: Review by the General Manager The employee may initiate Step 3 By filing an appeal in writing on a form provided by the District (attached hereto as Appendix A) with the General Manager within seven (7) working days after receipt of the Step 2 decision. The General Manager will, within ten (10) working days of the receipt of the appeal, meet with the aggrieved employee to review the grievance. The General Manager will deliver a decision in writing to the employee within seven (7) days of the filing of the appeal, or if no meeting with the General Manager has taken place within ten (10) working days of the filing of the appeal he/she may initiate Step 4.

**2180.44** Step 4: Board of Director's Final Decision The employee may initiate Step 4 by filing an appeal to the MCSD's Board of Directors, in writing with the General Manager within ten (10) working days from receipt of the General Manager's response, or failure to reason within the time limits. The Board of Directors may, at its discretion, refuse to hear the grievance, in which case, the General Manager's decision shall be final. The MCSD may choose to accept the grievance, in which case both the General Manager and the grievant or his/her representative may make their presentations to the Board of Directors. The Board of Directors will deliberate the grievance and, within fifteen (15) days after hearing presentations on the grievance, arrive at a decision that shall be final and binding.

#### **2180.50** Rules Governing Grievance Procedure

**2180.51** Each party involved in a grievance shall act quickly so that the grievance may be resolved promptly. Every effort should be made to complete action within the time limits contained within the grievance procedure.

**2180.52** An employee may be assisted in presenting a grievance by a representative, at the employees' expense.

**2180.53** The grievance procedure may be used by an employee without fear of prejudice. Reprisal shall not be taken against an employee for submitting a grievance. Supervisors and other management representatives shall not delay or suppress submission of information in consideration of a grievance.

**2180.54** All communications pertaining to employee's grievances shall be confidential and shall not be discussed except with the employee or representative and the appropriate supervisory personnel.

**2180.55** The General Manager and the Board of Directors may each issue such supplemental procedures and instructions as may be necessary to implement this policy.

**2180.56** The General Manager may temporarily suspend grievance processing on a district wide basis in an emergency situation. Employees covered by this policy may appeal this decision with the Board of Directors.

**2180.57** A copy of all formal grievance decisions shall be placed in the employees' permanent personnel file.

**MCS D POLICY 2180 GRIEVANCES  
APPENDIX A – EMPLOYEE GRIEVANCE FORM**

Employee's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Statement of grievance, including specific reference to any law, policy, rule, regulation, Memorandum of Understanding and/or instruction deemed to be violated, misapplied or misinterpreted:

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Circumstances involved:

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Decision rendered by the informal conference:

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Specific remedy sought:

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Employee Signature

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Supervisor Signature