

SECTION 8 GRIEVANCES

8.1 A grievance is a complaint by an employee concerning a violation of this Human Resources Handbook. The following steps comprise the normal grievance process. The employee's supervisor or Department Director/Elected Official may waive steps, as appropriate, and a grievant may withdraw a grievance at any step in the grievance process. The grievance process is not applicable to disciplinary actions.

8.2 DELIVERY OF CORRESPONDENCE For the purposes of the grievance process, the County will make an effort to hand-deliver any documentation, or correspondence related to the grievance process including but not limited to forms and memos and will be considered served immediately upon delivery. In

cases where hand delivery is not practical, such materials will be mailed priority, certified return receipt requested and will be considered served on the first date of attempted delivery by the U.S. Postal Service. For the purpose of this section, days mean workdays to include Monday through Friday and not to include holidays or time when the County Administrative Offices are closed.

8.3 TIME LIMITATIONS Failure to file a grievance within ten (10) working days following discovery of the act or condition that gave rise to the grievance will constitute a waiver of the right to file a grievance. Furthermore, any grievance determination not appealed to the succeeding level within the time limits set forth herein shall be considered closed. The time limits in this grievance procedure may be extended upon written agreement of the parties. If the County fails at any stage during the grievance process to timely respond, the grievant may appeal to the next level in the grievance process within the time limits set forth as if the County had timely responded.

8.4.1 STEP 1. Informal Discussion Within ten (10) working days of any action complained of, the employee must attempt to resolve the complaint through informal discussion with the employee's immediate supervisor and Division Director.

8.4.2 STEP 2. Written Grievance

(A) **Written Grievance Required.** If the matter cannot be resolved informally in Step 1, the employee shall submit a written grievance to the Department Director/Elected Official. If a Department Director/Elected Official is also the employee's immediate supervisor with whom the Step 1 grievance had previously been addressed, the employee shall present the written grievance to that person.

(B) **Time to File Written Grievance.** A written grievance must be submitted within five (5) working days of the Step 1 discussion.

(C) **Content of Written Grievance.** Written grievances will be submitted on the established Santa Fe County *Report of Grievance Form*. The grievant will provide a short and concise statement of the action complained of, brief additional facts as appropriate, the relief requested, and the date when the Step 1 discussion occurred. *Report of Grievance Forms* will be made available in each County Department/Office, and will also be available at the Human Resources Division.

(D) **Response to the Written Grievance.** The Department Director/Elected Official or designee shall promptly respond in writing to the written grievance, but in any event, within ten (10) working days of the receipt of the written grievance.

(E) **Review by Human Resources Director.** If the matter cannot be resolved at the Department Director/Elected Official level, the grievant may file the grievance with the Human Resources Director and request a meeting with the Human Resource Director or designee. The meeting shall be scheduled within five (5) working days of the Human Resource Director's receipt of the grievance. The Human Resources Director shall respond to the grievant within ten (10) working days following the grievance meeting or if a grievance meeting is not conducted, within ten (10) working days from receipt of the grievance by the Human Resources Director.

(F) **Finality.** The grievance process concludes with Step 2.