

## GREEN COUNTY EMPLOYEE GRIEVANCE POLICY AND PROCEDURE

1.1 Policy. It is the policy of the County to treat all employees fairly and equitably in matters affecting their employment. Each employee who feels aggrieved has a right to present a grievance to appropriate management officials. The filing of a grievance by an employee will not reflect unfavorably on the employee's standing, performance or loyalty and the employee should have no fear of reprisal.

1.2 Applicability. A grievance means a complaint regarding suspension, termination, or a workplace safety issue. However, the following matters are not subject to the grievance procedure under this section:

- A. Layoffs, including general workforce reductions or failure to be recalled from a layoff at the expiration of the recall period.
- B. Non-disciplinary job transfers or demotions.
- C. Termination of employment during any probationary period.
- D. Performance evaluations or reviews.
- E. Administrative suspensions with or without pay, during any internal employment related investigation.
- F. Non-disciplinary wage, benefit or salary adjustments.
- G. County actions or inactions as it relates to another employee.

1.3 Settlement. Any grievance will be considered settled at the completion of any step in the procedure if all parties concerned are mutually satisfied. Dissatisfaction is implied in recourse from one step to the next.

1.4 Limitations. A grievance may not be brought under this section relating to the termination of employment by the following:

- A. A law enforcement officer who may use the procedure specified in Wis. Stat. § 59.26(8).
- B. An employee subject to a collective bargaining agreement containing a grievance procedure.
- C. A circuit court commissioner who is appointed pursuant to Wis. Stat. § 757.68.
- D. A corporation counsel who is appointed pursuant to Wis. Stat. § 59.42(1)(b).
- E. A register in probate who is appointed pursuant to Wis. Stat. § 851.71(1).

- F. A nursing home administrator who is appointed under Wis. Stat. § 46.19.
- G. A director of human services who is appointed under Wis. Stat. § 46.23.
- H. A seasonal or limited term worker.
- I. An independent contractor.
- J. An elected official.
- K. A highway commissioner elected under Wis. Stat. § 83.01.

1.5 Time. Days shall mean calendar days exclusive of Saturdays, Sundays and days upon which the Historic Courthouse is closed for a holiday and also the day after Thanksgiving and December 31<sup>st</sup> of each year. In counting days, the day of the act, event or occurrence from which the designated period of time begins to run shall not be included. All time requirements shall be strictly enforced and both parties must agree to a waiver of any applicable time requirement in writing.

1.6 Representation. A Grievant may have an attorney represent him or her under this section.

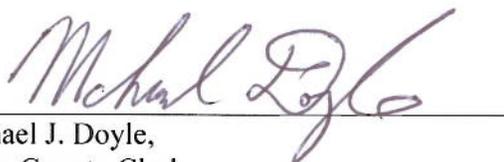
1.7 Procedure. Subject to Section 1.4, any employee may file a grievance under this procedure. Such grievances shall be handled as follows:

- A. Prior to filing a written grievance, the employee shall discuss any problem or complaint with his or her immediate supervisor to see if settlement is possible. If the employee is a Department Head, he or she shall proceed directly to paragraph C and shall file his or her written grievance with the Chairperson of the his or her oversight committee not later than 10 days from the date the Department Head first became aware of the condition causing the grievance.
- B. If the problem is not resolved with the immediate supervisor, the Grievant may file a written grievance with the Department Head, but not later than 10 days from the date the Grievant first became aware of the condition causing the grievance. The written grievance shall be sent via registered or certified mail to the County office of the Department Head. The Department Head shall respond in writing no later than 10 days from the date the grievance was received. Failure of the Department Head to respond in 10 days shall be deemed a denial of the employee's grievance by the Department Head and the Grievant may proceed to Paragraph C if he or she so chooses.
- C. If the Grievant is not satisfied with the Department Head's response, a request to hear the grievance may be submitted in writing and sent via registered or certified mail to the Chairperson of the Grievant's department oversight committee within 10 days from receiving the Department Head's decision or if the Department Head did not respond, within 25 days from the date the Grievant first became aware of the condition causing the grievance. The Chairperson shall place the grievance on the agenda of the next available committee meeting of the Grievant's department oversight committee. The Grievant's department oversight committee shall make a decision on the grievance and shall inform the Grievant of its decision in writing within 10 days

of its decision. If the Grievant's department does not have an oversight committee or if the Grievant's oversight committee is the Personnel and Labor Relations Committee, the Grievant may proceed to Paragraph D if he or she so chooses.

- D. If the Grievant is not satisfied with the Grievant's department oversight committee's decision, the Grievant may file an appeal for a hearing before an impartial hearing officer within 10 days of receiving the Grievant's department oversight committee's decision. The appeal must be in writing and sent via registered or certified mail to the County Clerk. An impartial hearing officer will be selected by the County. Any costs for the impartial hearing officer's services will be borne equally by the parties. The Grievant and the County may mutually agree in writing to waive the hearing before an impartial hearing officer and advance the grievance to Paragraph E.
- E. If either party is not satisfied with the decision of the impartial hearing officer or that hearing was waived by the parties, either party may file an appeal within 10 days of the decision or signed waiver to the Personnel and Labor Relations Committee. The request for an appeal shall be sent via registered or certified mail to the County Clerk. The Chairperson shall place the employee's grievance on the agenda on the next available committee meeting of the Personnel and Labor Relations Committee. The Personnel and Labor Relations Committee shall make a decision on the grievance and shall inform the Grievant of its decision in writing within 10 days of its decision. The decision of the Personnel and Labor Relations Committee shall be subject to final action by the County Board. The grievance process is completed when the County Board takes its action.

This Green County Employee Grievance Policy and Procedure was adopted by the Personnel and Labor Relations Committee on September 28, 2011.

A handwritten signature in cursive script, reading "Michael J. Doyle", written over a horizontal line.

Michael J. Doyle,  
Green County Clerk