

## PERSONNEL MANAGEMENT

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### GRIEVANCE PROCEDURES

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**Purpose:** An important element of a sound personnel system is the existence of a formal method that allows employees to resolve their grievances with management fairly and expeditiously. Good procedural process can help to reduce personnel dissatisfaction, increase morale, identify problems in the organization, and increase the positive perception employees have of the organization. The North Little Rock Police has established this policy to educate employees on the Grievance Procedure.

**Policy Statement:** It is the intent of this policy to provide sworn and civilian members of the NLRPD with a procedure in which grievances may be brought forth, investigated and culminated in a consistent and equitable manner.

**Summary of Changes:** New Format.

#### Definitions:

**Grievance:** A grievance is any and all disputes, complaints, controversies, claims or grievances whatsoever between the FOP or any member and the employer which directly or indirectly arises out of or is related to the Contract between the City of North Little Rock and the Fraternal Order of Police. [CALEA 25.1.1a]

**Non Contractual Grievance:** Any dispute, complaint, controversy or claim by any member not arising out of or related to any contract between the City and employee group contract.

#### Procedure:

##### 1 Grievance Procedure

###### 1.1 Initial Complaint (Step 1) [CALEA 25.1.1b, d]

- 1.1.1 In the event of a grievance, an employee and/or an FOP representative shall first report and discuss the grievance with the employee's Division or Unit Commander within ten (10) working days of his/her knowledge of the occurrence of the event giving rise to the grievance. [CALEA 25.1.1e]
- 1.1.2 It is not mandatory that the grievance be reported in writing; however, it is the preferred method. The grievance should include the specific wrongful act and harm done, and a statement of the remedy or adjustment sought. This is basic information that should be required from the affected member. [CALEA 25.1.1c].
- 1.1.3 The Division or Unit Commander shall discuss, review and inquire into the occurrence in an attempt to reach a satisfactory solution and orally counsel or notify the employee and his/her FOP representative of his answer within three (3) calendar days.
- 1.1.4 The majority of grievances should be resolved at this step.

###### 1.2 Request for Review (Step 2) [CALEA 25.1.1b, d]

- 1.2.1 In the event that the answer of the Division or Unit Commander is not satisfactory to the FOP, the FOP President or designee shall notify the Chief of Police and make a written request to schedule a STEP 2 meeting concerning the grievance.
- 1.2.2 The Police Department shall schedule Step 2 meetings within seven (7) calendar days after receiving a written request, and the meeting shall be chaired by the Chief of Police. The Chief may designate other representatives of the Police Department or City Committee to attend.
- 1.2.3 The FOP's Step 2 grievance committee shall consist of the President, Vice-President, one duly authorized representative or its designee and the aggrieved employee.
- 1.2.4 After reviewing the grievance, the Chief will answer it within ten (10) calendar days of the Step 2 meeting date.
- 1.2.5 If the FOP does not wish to further pursue a grievance, it shall notify the Chief.

###### 1.3 Request for Review (Step 3) [CALEA 25.1.1b, d]

- 1.3.1 In the event that the response from the Chief of Police is not satisfactory to the FOP, the FOP President shall notify the Mayor of the answer and make a written request to schedule a Step 3 Meeting concerning the grievance.
- 1.3.2 The City of North Little Rock shall schedule a Step 3 meeting within seven (7) calendar days after receiving a written request, and the meeting shall be chaired by the Mayor.
- 1.3.3 The Mayor may designate other representatives of the City of North Little Rock to attend.
- 1.3.4 The FOP's step 3 Grievance Committee shall consist of the President, Vice President, one duly authorized representative or its designee, and the aggrieved employee. After reviewing the grievance, the Mayor will respond within ten (10) calendar days of the step 3 meeting date.

- 1.3.5 If the FOP does not wish to further pursue a grievance, the FOP President or designee shall notify the Mayor.
- 1.4. Restrictions:
- 1.4.1 All copies of a grievance shall be signed and dated by the FOP representatives and the Police Department representatives at the time of the submission at each step and at the time the written answer is required to the FOP. Signatures and dates shall be conclusive evidence of the receipt of the grievance or the answer.
- 1.4.2 Time limits specified in the grievance procedure may be extended at any step by mutual agreement. Any such extension of time limits shall be documented and signed by the representatives of both parties.
- 1.4.3 It is intended and agreed that the procedure herein established for the adjustment of disputes shall be the exclusive means for the determination of all disputes, complaints, controversies, claims or grievances.
- 1.4.4 Officers will bring grievances only in their own behalf to remedy alleged procedural wrongs against themselves.
- 1.4.5 There will be no repercussions involving an officer that files a grievance for any reason.
- 1.5 Responsibilities
- 1.5.1 The Chief of Police is responsible for the coordination of the grievance process including the timely progress of the grievance procedure through succeeding steps. All but the most serious should be resolved informally at the unit level. [CALEA 25.1.2]
- 1.5.2 The respective Division Commander shall review and maintain records of grievances filed within a Division for purposes of correcting deficiencies within the Department. [CALEA 25.1.2]
- 1.5.3 If the grievance involves an officer's supervisor, the chain of command may be circumvented; and the grievance may be filed with the next highest level of supervision.
- 1.5.4 The Chief of Police or designee will conduct an annual analysis of all grievances filed each year to determine if there are any training or policy needs. [CALEA 25.1.3]
- 1.5.5 Matters under the administrative control of the Chief of Police are not subject to the grievance procedure.
- 1.5.6 For example: The fact that one officer is promoted over another officer is not a grievance matter, while the following of procedure and process under which the promotion was made may be a grievance matter.

## **2 Non-Sworn Members**

Non-Sworn members will file grievances in accordance with the NLR Administrative Personnel Policies and Procedures, section 5-008: Complaint Resolution Policy and Procedure.

## **3 Supervisory Members**

Supervisory members will file grievances in accordance with the Statement of Agreement between the City and the Supervisory Contract.

## **4. Non-Contractual Grievances**

- 4.1 All members may file non-contractual grievances with their immediate supervisor in a timely manner.
- 4.2 The Department believes that most complaints can be settled quickly and informally between supervisors and members who are willing to discuss and resolve work-related problems as they arise.
- 4.3 If the incident involves the member's supervisor, the chain of command can be circumvented to the next level of the member's chain of command.
- 4.4 If the member is not satisfied with the outcome, the member may initiate the grievance to the next highest level of the Chain of Command, up to and including the Chief of Police.