



# GRIEVANCE PROCEDURES SOG

## SCOPE

This guideline shall apply to all members of the Stoney Point Fire Department (SPFD) and shall be adhered to by all members.

## PURPOSE

The Employment Practice Review procedure should provide an adequate and fair means for hearing matters of concern to SPFD employees for the benefit of the SPFD. It is a management tool. It does not vest any rights in the employee, but is a self-directed mechanism of the SPFD to monitor and review the appropriateness of its personnel related actions and to meet any due process standards that may apply by external law to the SPFD, although all SPFD are at will employees and subject to dismissal by the Fire Chief.

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## DEFINITIONS

**SHALL** - Indicates a mandatory requirement.

**STANDARD OPERATING GUIDELINES (SOG)** - Documents that help establish how an organization will operate and how its members are expected to carry out specific duties outlined in general terms.

## GUIDELINE

### Coverage

This Employment Practice Review procedure applies to all employees that are subject to supervision and regulation by the Fire Chief. An Employment Practice Review is defined as any matter of concern or dissatisfaction arising from the working conditions of an employee, subject to the control of the Fire Chief.



## Policy

Every employee shall have the right to present an Employment Practice Review Request in accordance with these procedures, with or without a representative, free from interference, coercion, restraint, discrimination, penalty, or reprisal. Employees will be allowed such time off from their regular duties as may be necessary and reasonable as determined by the Fire Chief to present an Employment Practice Review Request.

## Procedure

- Step One. An employee must file an Employment Practice Review Request, in writing, with the immediate supervisor within thirty (30) days of the date of the incident-giving rise to the request. If the employee alleges harassment by the immediate supervisor, the employee may file a complaint as set forth in Paragraph 3 of Section III. If the Employment Practice Review Request concerns a review of a dismissal, it shall be filed directly with the appointing authority at Step Three. The immediate supervisor shall meet with the employee within five (5) days of receipt of the request and attempt to resolve the Employment Practice Review Request informally. If informal resolution efforts fail, the immediate supervisor shall issue a written decision on the Employment Practice Review Request not later than five (5) days following the meeting.
- Step Two. If the employee is dissatisfied with the response at Step One, the employee may file the Employment Practice Review Request in writing with the Fire Chief within five (5) days of receipt of the immediate supervisor's written decision. The Employment Practice Review Request shall state concisely the basis for the request and, if based on alleged discrimination, indicate whether the alleged discrimination was based on race, color, religion, sex, national origin, political affiliation, no disqualifying handicap, or age. The Fire Chief or designee shall meet with the employee within five (5) days of receipt of the Step Two

Employment Practice Review Request, shall review the decision at Step One, and shall make an independent determination on the merits of the Employment Practice Review Request. Within ten (10) days of the meeting with the employee, the department manager shall issue a written decision.

- Step Three. If the employee is dissatisfied with the response at Step Two, the employee may forward the written request to the Clerk of the Board within five (5) days of receipt of the Step Two decision. The employee may request a decision or review from the

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Board of Directors. The BOD may at their discretion review the request or refuse the request and stop the process.

### **Personnel Advisory Committee**

A Personnel Advisory Committee composed of three (3) persons designated by the Board of Directors with authority to hear employees' Employment Practice Review Requests and recommend decisions to the Fire Chief. The hearing shall be conducted within fifteen (15) days of the date on which the hearing is requested. The Personnel Advisory Committee, the aggrieved employee, and any person whose alleged conduct is the cause of the request shall have the right to call and cross-examine witness and offer other evidence. The chairperson of the committee, or his designee, shall submit its advisory opinion to the Fire Chief within ten (10) calendar days of the hearing.

### **Final Decision on the Employment Practice Review Request**

Upon receiving the advisory opinion of the Personnel Advisory Committee, the Fire Chief shall inform the employee in writing (memorandum), of his or her final decision. The final decision will be furnished within the (10) days of receipt of the recommended decision of the Personnel Advisory Committee.

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### **Maintenance of Records**

All documentation, records, and reports will be retained by State Law and shall be held by the Clerk to the Board of Directors.

### **Other Remedies Preserved**

The existence of the Employment Practice Review procedure does not preclude any individual from pursuing any other remedies available under law.

### **Forms**

All forms related to Employment Practices Review can be obtained from their immediate supervisor or the Clerk to the Board.

### **Appendix 1 – Employment Practice Review Form (SPFD-GF-01)**