



BOBBY JINDAL  
GOVERNOR

**State of Louisiana**  
**Governor's Office of Homeland Security**  
**and**  
**Emergency Preparedness**

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**Grievance Procedure**  
**Policy Number: HR-0012**

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**Revised Date:**

**Approval:**

  
Mark A. Cooper, Director

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**I. POLICY:**

The policy of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is that employee grievances shall be resolved at the lowest possible supervisory level and at the earliest possible opportunity after such grievances are recognized. Each employee in the GOHSEP shall have access to the grievance procedure described herein, without fear of reprisal, for the appropriate resolution of all grievances.

If it is necessary to hold a grievance hearing as allowed during Step 3 of the process, the party against whom the grievance complaint is made shall have the right to appear and testify at the hearing.

The Appointing Authority's decision *shall be final* in all cases that are properly processed through this grievance procedure.

**II. PURPOSE:**

In any organization, conditions leading to dissatisfaction and misunderstanding may arise on occasion among employees and between employees and supervisors.

Every effort shall be made to afford all employees a means to resolve grievances. It is important for employees to have a process by which grievance resolution can be addressed, to maintain employee morale and efficiency.

Problems that are discovered and resolved through utilization of this grievance procedure *may* serve as a basis for review and change of policies and procedures.

### III. **APPLICABILITY:**

This policy applies to all employees of the GOHSEP.

### IV. **SCOPE:**

The decision to utilize this grievance procedure, **although encouraged, shall be the voluntary decision of the individual employee.**

The Human Resources Office has staff members available to consult with employees freely and informally to help determine whether they need to use this Grievance Procedure. **Please note that the Human Resources Office cannot serve as an employee's representative, but can offer guidance only.**

### V. **DEFINITIONS:**

The term "grievance" shall mean any complaint by any employee and/or group of employees, hereinafter referred to as "grievant", that:

- A. An employee has been treated unfairly, inequitably or in a manner which is arbitrary, capricious, unjust or unreasonable, or
- B. There is a violation of the implementation, enforcement, administration, application and/or interpretation of any applicable law, regulation, administrative directive, policy or practice of the agency or its agent(s), or
- C. A condition, situation or circumstance exists which jeopardizes the health or safety of any employee or otherwise adversely affects the welfare and interest of any such person.

**NOTE:** Reports of discrimination or harassment should be made through the procedures outlined in the GOHSEP Policy: *Discrimination and Harassment Complaints, HR-0025.*

### VI. **PROCEDURE:**

The Human Resources Office has the responsibility for administering the Grievance Procedure Policy. Therefore, at each step of the grievance procedure, the grievant and the individual responsible for the response must forward a copy to the Human Resources Office. The grievance **must** be filed on

the official forms which may be obtained from the Human Resources Office. The grievance form should contain a complete factual statement from the grievant and identification of all individuals that may have knowledge of the facts complained about.

The grievance procedure consists of three formal steps. The grievance can be settled at any step. A brief description of these three steps is as follows:

### First Step

All grievances shall be presented within 14 working days from the date the grievant first became aware of, or should have become aware of, the cause of such grievance.

The grievance shall be in writing on the appropriate form and submitted to the grievant's immediate Section Chief or equivalent immediate supervisory position.

The Section Chief or equivalent supervisory position shall render a written decision within 7 working days. However, if the Section Chief or equivalent supervisory position is unable to meet the deadline, additional time may be allowed with the employee's agreement.

Should the grievance be against the Section Chief or equivalent supervisory position, the grievance shall be submitted to the next highest supervisor in the chain of command.

### Second Step

If the grievant is not satisfied with the supervisor's decision, he/she shall check the appropriate box on the form and within 7 working days present his/her grievance in writing to the Deputy Director.

The Deputy Director shall investigate; consider the employee's viewpoint; and furnish the employee a written statement of his/her findings and recommendations within 14 working days of receipt of the written grievance.

### Third Step

In the event the decision of the Deputy Director does not satisfy the employee, he/she shall check the appropriate box on the form and may present his/her grievance to the Appointing Authority, or his/her designated representative, within 5 working days.

Correspondence to the Appointing Authority may be addressed to 7667 Independence Blvd., Baton Rouge, LA 70806. Correspondence may be hand-delivered to the Human Resources Office.

The Appointing Authority or his designee may conduct a hearing or whatever investigation is deemed appropriate, and will issue a written decision notifying all interested parties within 21 working days following the date the grievance entered the Third Step.

When the grievance filed is directly against an Executive Staff Member, i.e. Legislative Liaison, Communications Director, Internal Auditor, Executive Counsel, Deputy Director, Chief of Staff or Appointing Authority, the grievance shall be submitted to the Appointing Authority, who shall designate a representative or grievance committee to hear the grievance and submit a recommendation to him within fourteen (14) calendar days of the hearing. The Appointing Authority shall issue a final decision within twenty-one (21) calendar days following the hearing.

## **VII. SUMMARY OF DISPOSITION OF GRIEVANCE:**

A. At any time after the filing of a written grievance, the Appointing Authority may summarily dispose of the grievance on any of the following grounds:

- 1) The Appointing Authority lacks jurisdiction of the subject matter or the person against whom relief is sought;
- 2) The grievance has not been made in the required manner or within the prescribed period of delay;
- 3) The decision on the grievance would be ineffective;
- 4) The aggrieved has failed to appear at the time and place fixed for the hearing of his grievance; or
- 5) The aggrieved has withdrawn or abandoned his request for grievance consideration.

B. When the Appointing Authority summarily disposes of a written grievance, he shall notify all interested parties.

C. Upon conclusion, a copy of the entire written grievance shall be submitted to the Human Resources Office and all parties involved in the grievance procedure.

## **VIII. RESPONSIBILITY:**

All employees are responsible for complying with all aspects of this policy.

**IX. QUESTIONS:**

Questions regarding this policy should be directed to Human Resources Office.

**X. EXCEPTIONS:**

Requests for exceptions to this policy should be submitted to the Appointing Authority, along with specific and compelling justification. Exceptions may be granted on a case by case basis.

**XI. VIOLATIONS:**

Any employee who uses his official position to coerce, attempt to coerce, or influence in any improper manner any person involved in the grievance process shall be subject to disciplinary action up to and including termination.

Employees found to have violated this policy in any way may be subject to disciplinary action up to and including termination.