

GRIEVANCE PROCEDURES	Document Number	GO 530
	Effective Date	07-25-11
	Revisions	Underlined
	Page Number	1 of 4
	Approval:	HSK

1. PURPOSE

The purpose of this policy is to establish procedures for employees to resolve disputes or complaints concerning the terms and conditions of their employment.

2. PERSONS AFFECTED

All department personnel.

3. POLICY

It shall be the policy of the Hawai'i Police Department that every employee has the right to be treated fairly in matters arising from employment and that each employee should have the opportunity to be heard fully any time their right to fair treatment has been violated. A carefully designed grievance process can help to reduce personnel dissatisfaction, increase morale, identify problems in the organization and increase the positive perception employees have of their employment with the department.

4. DEFINITION

Grievance – A complaint filed by an employee who alleges that there has been a violation misinterpretation, or misapplication, of a specific provision of a personnel law, regulation, rule or policy.

5. RESPONSIBILITIES

5.1. Members – Members shall be responsible for presenting grievances in accordance with this General Order and all applicable rules, laws, and collective bargaining agreements.

5.2. Commanding Officers – Commanders shall ensure that grievances are handled without reprisal or discrimination.

5.3. Personnel Officer

5.3.1. The Personnel Officer (Assistant Chief of the Administrative Bureau) shall be responsible for the coordination of grievance procedures and for the maintenance and control of grievance records.

GRIEVANCE PROCEDURES	Document Number	GO 530
	Effective Date	07-25-11
	Revisions	Underlined
	Page Number	2 of 4
	Approval:	HSK

5.3.2. The Personnel Officer shall prepare an annual analysis of filed grievances in summary form to the Police Chief.

6. PROCEDURES

6.1. General Provisions

- 6.1.1. An employee may, without resorting to formal procedures, discuss informally any problem relating to the employee's conditions of employment with any of the employee's supervisors.
- 6.1.2. In presenting a grievance, employees shall be assured freedom from coercion, discrimination or reprisal.
- 6.1.3. Grievances will be addressed during scheduled working hours without loss of pay to the employee making the grievance. Grievance discussions will be scheduled by the person authorized to hear the grievance within the time limits as specified.
- 6.1.4. Grievances may be filed at the lowest level of the grievance procedure with the authority to resolve the grievance. Time limits in such cases shall be the same as in grievances filed through normal procedures.
- 6.1.5. An employee or employees having a grievance and wanting assistance in presenting the grievance may request representation by any person of the employee's choice.
- 6.1.6. Grievances should be described or expressed as clearly and as fully as possible. All of the pertinent facts that serve to explain when, how, where, to whom and why the grievance occurred will be documented.
- 6.1.7. Tentative solutions or answers will be established for each particular grievance.
- 6.1.8. Suggestions will not be handled in the grievance process unless they are related to a specific grievance action.
- 6.1.9. In the event a grievance is not filed or is not appealed by an employee at any step within the specified time limit, the matter

GRIEVANCE PROCEDURES	Document Number	GO 530
	Effective Date	07-25-11
	Revisions	Underlined
	Page Number	3 of 4
	Approval:	HSK

will be considered as having been accepted by the employee, or settled on the basis of the last disposition.

- 6.1.10. Any time limit specified in this grievance procedure may be extended by mutual agreement between the aggrieved employee and the appropriate management representative at each step.
- 6.1.11. The department shall furnish the Director of Human Resources a copy of a grievance when initially filed and a copy of the decision at each step of the grievance procedure.
- 6.1.12. Any relevant information in the possession of the department, which withstands conflicting law on privacy interest issues, needed by an employee to investigate and process a grievance shall be provided to the employee within seven (7) working days upon written request.
- 6.1.13. Grievances shall be presented to the appropriate supervisor within twenty (20) working days after occurrence of a violation, or if it concerns an alleged violation within twenty (20) working days after the alleged violation first becomes known or should have become known to the employee involved.

6.2. Grievance Procedures

6.2.1. Informal Step

- a. An employee who has a grievance shall, whenever possible, within the twenty (20) working day limitation as described in section 6.1.13., meet with the employee's immediate supervisor to discuss the grievance.
- b. The immediate supervisor shall make a decision and notify the aggrieved employee of the decision within seven (7) working days from the initial presentation of the grievance.
- c. Every effort shall be made by the employee and the immediate supervisor to resolve the grievance at this level.
- d. The immediate supervisor shall also notify his/her commander of the grievance and the results.

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GRIEVANCE PROCEDURES	Document Number	GO 530
	Effective Date	07-25-11
	Revisions	Underlined
	Page Number	4 of 4
	Approval:	HSK

- 6.2.2. Grievance Procedures (Steps) – If an employee is not satisfied with the results of the informal grievance, the employee may pursue it further in accordance with the employee’s respective collective bargaining agreement.
- 6.3. Exclusions – These procedures are not applicable for the following types of complaints and remedies should be sought through the appropriate channels:
- 6.3.1. Complaints with respect to classification refer to Part 1, Rule 5 of the County of Hawai‘i Personnel Rules and Regulations for appeal procedures to the Civil Service Commission.
- 6.3.2. Complaints with respect to pricing or repricing refer to Section 77-4, Hawai‘i Revised Statutes as amended, for appeal procedures to the Compensation Appeals Board.
- 6.3.3. Complaints with respect to Rules of the Personnel Director on Hours of Work, Vacation and Other Leaves With Pay, refer to Part IV, A, Rule 5, of the County of Hawai‘i Personnel Rules and Regulations for grievance procedures of the Rules of the Director.
- 6.3.4. Complaints with respect to matters under the collective bargaining agreements shall be in accordance with procedures of the applicable collective bargaining unit.
- 6.4. Annual Analysis
- 6.4.1. The Personnel Officer shall conduct an annual analysis of filed grievances in order to manage agency problems and identify steps that may be taken to minimize the cause of such grievances in the future.
- 6.4.2. The annual analysis shall be reported to the Police Chief in summary form and shall include:
- a. Number of grievances filed during the reporting period
 - b. Disposition of grievance, if applicable
 - c. Any patterns or trends in the filing of grievances