Washington State
Military Department

Department Policy No. HR-230-83

Title:	Grievance Resolution Policy – Non Represented Employees
Information Contact:	Human Resources Director Building 33 (253) 512-7940
Effective Date:	January 1, 1983
Revised:	July 1, 2016
Mandatory Review Date:	July 1, 2020
Approved By:	Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

Purpose

Provide guidance for problem resolution in the event an employee's dispute has not been resolved under normal employee/supervisor discussions.

Scope

This policy is applicable to all state employees within the Washington Military Department (WMD) who are not covered by a Collective Bargaining Agreement. This policy does not apply to guardsmen on state active duty or to federal personnel, to include Active Guard Reserve (AGR), members, traditional guardsmen in a federal status, or military technicians.

Definitions

1. Grievance: A written employee allegation of misapplication or violation of Civil Service Law, Washington Administrative Codes (WAC), Revised Codes of Washington (RCW), Department Policy and/or Department Procedure.

Policy

The WMD recognizes that resolving issues in an orderly, prompt, and fair manner promotes the maintenance of operating efficiencies and employee morale. Every effort will be made to address employee concerns and settle grievances at the lowest level.

A. Employees electing to appeal alleged violations of the WACs and/or State Civil Service Law through the Public Employment Relations Commission (PERC), may not pursue a grievance for the same issues under this policy.

B. The Grievance Resolution Procedure below details the process and associated time limitations.

C. Time limitations are essential to the prompt and orderly grievance resolution. Grievances must be processed within the periods specified in the Grievance Resolution Procedure below. If grievances are not filed in a timely manner or moved to the next level of review within the specified time limits, they shall be considered withdrawn.

D. Notwithstanding the above, the time limitations for both initiation and moving grievances to the next level of review may be extended by mutual agreement of management and the involved employees.

E. The filing of three or more grievances by the same employee that are heard on the same date shall automatically extend the time limit for the reviewer's response by fifteen (15) calendar days.

F. Management shall have discretion in scheduling grievance meetings. Grievance meetings held during off-duty hours shall not be compensated.

Granting of an agreed upon remedy at any level of review shall constitute full and final resolution of the grievance, otherwise the WMD Director's (The Adjutant General) review and subsequent decision is final.

Procedure

The WMD is committed to resolving issues at the lowest possible level in a timely manner. A grievance must be filed in writing within fourteen (14) calendar days following the date the alleged violation(s) occurred, or the date the employee became or should have reasonably become aware of the issue(s) giving rise to the grievance. The 14 day period is intended to provide the opportunity to informally bring about an amicable resolution.

A. The following review process is available to employees to resolve grievances formally.

   a) Supervisor Review. The first step in the grievance resolution process is a supervisory review.

      i.) Employees shall present the grievance in writing to their immediate supervisor within the 14 day period specified above. The grievance must be signed, dated, and contain the following:

         (1) Pertinent facts describing the incident or situation surrounding the grievance;

(2) Date upon which the incident occurred;

(3) Date employee became aware of the issue(s) giving rise to the grievance;

(4) Requested remedy; and

(5) Washington Administrative Code (WAC), Revised Administrative Code (RCW), WMD Policy and/or Procedure that was violated.

ii.) Supervisor (or designee) shall meet with the employee to discuss the grievance. The Supervisor (or designee) shall review the information; research relevant WACs, RCWs, WMD Policy/Procedure or other resources related to resolving the grievance.

iii.) The Supervisor (or designee) shall provide a written response to the employee within 10 calendar days following the date of the meeting.

iv.) The Supervisor (or designee) shall provide a copy of the written response to the Executive Management Team (EMT) Member in the employee's chain of command; AND a copy to the Human Resources Director.

b) Executive Management Team (EMT) Member Review. If after the supervisory review, the grievance is not satisfactorily resolved; the employee may request an EMT Member Review.

i.) The employee must submit a written request for review to the appropriate EMT Member (or designee) within 7 calendar days following receipt of the written supervisory response. Request must:

(1) Be signed and dated;

(2) Include a copy of the original grievance request and the written supervisory response; and

(3) Indicate why the employee believes the issue(s) remain unresolved.

ii.) The EMT Member (or designee) shall meet with the employee and provide a written response within 21 calendar days following the meeting.

iii.) The EMT Member (or designee) shall provide a copy of the written response to the Human Resources Director.

c) Human Resources Director Review. If the EMT Member's response does not resolve the issue(s) under dispute, the employee may request a review by the Human Resources Director.

i.) Employees must submit a written request for review by the Human Resources Director within 7 calendar days following receipt of the EMT Member's written response. Request must:

(1) Be signed and dated;

(2) Include a copy of the original grievance request, the supervisory and the EMT Member's responses.

(3) Indicate why the employee believes the issue(s) remain unresolved.

ii.) The Human Resources Director will review the request and compile adequate information to provide a written response to the employee within 21 calendar days following the receipt of the request for review.

iii.) The Human Resources Director will provide a copy of the written response to the WMD Director/The Adjutant General (TAG).

d) WMD Director / The Adjutant General (TAG) Review. If the Human Resources Director's response does not resolve the issues under dispute, employees may request a review by the WMD Director (TAG) or designee.

i.) The written request must be received within 7 calendar days following receipt of the Human Resources Director's response. Request must:

(1) Be signed and dated;

(2) Include a copy of the original grievance request, the Supervisor's, EMT Member's, and Human Resources Director's responses; and

(3) Indicate why the employee believes the issue(s) remain unresolved.

ii.) The WMD Director (TAG) will review the information provided and submit a written response within 30 calendar days from the date of receipt.

iii.) The WMD Director's (TAG) review and subsequent determination is final.

B. Time limitations are essential to the prompt and orderly grievance resolution. Grievances must be processed within the periods specified.

a) If grievances are not filed in a timely manner or moved to the next level of review within the specified time limits, they shall be considered withdrawn.

b) Notwithstanding the above, the time limitations for both initiation and moving grievances to the next level of review may be extended by mutual agreement of management and the involved employee.

c) The filing of three or more grievances by the same employee that are heard on the same date shall automatically extend the time limit for the reviewer's response by 15 calendar days for each grievance.