**GRIEVANCE PROCEDURE**

It is the policy of the City to minimize the occurrence of grievances and to deal promptly with those that do occur in a fair and equitable manner. Employees shall use the following process to seek redress of grievances, unless some other policy of the City establishes a different procedure for a specific type of grievance.

Any dispute between an employee and the City or between employees relative to the application, meaning, or interpretation of any personnel issue or policy or workplace incident shall be addressed in the following manner:

Step 1: The employee must present the grievance in writing to the Personnel Committee, stating the nature of the grievance, the facts on which it is based, the provision or provisions of the personnel policies allegedly violated, if applicable, and the remedy requested. The Personnel Committee may refuse to consider a grievance that relates to an act or incident that occurred more than six months prior to the submission of the grievance. The Personnel Committee shall respond to the employee in writing within fifteen (15) calendar days and may request additional information. The Personnel Committee shall make its recommendation in writing within thirty (30) days after submission of the grievance or receipt of additional information if more information is requested.

Step 2: If the grievance is not resolved to the employee’s satisfaction in accordance with Step 1, the employee may ask the City Council to consider the grievance by filing a notice with the Personnel Committee to that effect within ten (10) days of receipt of the Personnel Committee’s written recommendation. The City Council may refuse to consider an appeal that is filed after the ten day limit. The employee shall explain his or her reasons for disagreeing with the Personnel Committee’s recommendation. The City Clerk shall provide the Council with the original written grievance, the recommendation of the Personnel Committee, and the employee’s written notice and explanation. The City Council shall address the matter and respond in writing to the employee within sixty (60) days of the filing of the notice. The decision of the City Council is final.

If the Personnel Committee or the City Council does not answer a grievance or an appeal within the specified time limits, the employee may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual agreement of the Personnel Committee or the City Council and the employee without prejudice to either party.

The following actions are not grievable:

1. Performance evaluations;

2. Pay increases or lack thereof; and

3. Merit pay awards.

4. Conditions of employment agreed to in an employment agreement.

The City may discipline any employee who retaliates against any participant in an investigation, proceeding or hearing relating to the grievance. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

The City shall comply with the Open Meeting Law and the Data Practices Act in consideration of any grievance.

Adopted this 10th day of July 2012