



GRIEVANCES AND APPEALS

WRITTEN DIRECTIVE: 4.10
EFFECTIVE DATE: 03-15-1994
REVISION DATE: 08-15-2016

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I. Purpose

The purpose of this Written Directive is to provide a method for employees to resolve their grievances with management in a fair and expeditious manner.

II. Policy

It shall be the policy of the University of Maryland, Baltimore Police Force (UMBPF) to make available information to employees on filing grievances and grievance procedures as outlined in this Written Directive.

III. Grievance Procedures

A. Definition

1. A grievance shall be defined as any cause of complaint arising between an employee and employer on a matter concerning alleged discrimination, promotion, interpretation or application of University rules or organizational procedures over which the University management has control.
2. In addition, contested written comments retained on Performance Development Program documents after discussion between the rating official and employee may be grieved through the procedures of Article 13 of the American Federation of State, County and Municipal Employees Memorandum of Understanding.
3. Complaints pertaining to staffing, general level of wages, wage patterns, fringe benefits, or other broad areas of financial management are not issues that can be grieved. Disciplinary actions can be grieved for non-sworn members (See WD 5.8A, Disciplinary Procedures – Non-Sworn, Section V., Penalties and Recordkeeping, Sub-Section A, Disciplinary Penalties, Number 3). Disciplinary actions can be grieved for sworn members in the manner of a Disciplinary Hearing Board (See WD 5.8, Disciplinary Procedures - Sworn, Section V., Penalties and Recordkeeping, Sub-Section A, Disciplinary Penalties, Number 4).
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5. Sworn agency members may file a grievance for alleged violations or disagreements of provisions of the current MOU in accordance with Section 13-201 of the Annotated Code of Maryland.

B. Resolving Grievances

1. The organization's procedures for resolving differences between employees and management include the following:
 - a. Informal - An aggrieved employee enters into informal discussions with the supervisor to resolve the issue; and
 - b. Formal - A procedure whereby the grievance is submitted in writing to the Associate Vice President for Public Safety under established time limitations as specified in UMS VII – 8.00 Policy on Grievances for Exempt and Non-Exempt Staff Employees.
2. Employee Representation: At any phase of the formal grievance process, the employee may select another person, friend, co-worker, attorney, etc., to assist or speak on behalf of the aggrieved person. At any point in the grievance procedure, the employee may elect to change or dismiss his representative by providing written notice to the person hearing the grievance. However, this does not allow the aggrieved to return the grievance to a lower step in the procedure.

C. Grievance Procedures/Responsibilities

The University of Maryland Baltimore, Office of Human Resource Services, and Employee/Labor Relations Unit is responsible for the coordination of grievance procedures. The Associate Vice President for Public Safety will ensure that all levels of supervision follow the grievance procedures outlined above.

D. Formal and Informal Grievance

1. Informal: Within thirty (30) working days after the occurrence or condition giving rise to a grievance, the employee may enter into informal discussions with the supervisor. Within three (3) working days the supervisor, after analyzing the facts or allegations, shall give their verbal response to the respective employee or shall advise the employee that additional time for such decision is needed, in which case the remedy or adjustment must be made known to the employee within three (3) working days thereafter.
2. Formal: If the employee is not satisfied with the informal resolution or remedy sought, the employee will within three (3) working days make a written statement of the grievance and the facts upon which it is based by utilizing the Grievance Form which allows for the following information:
 - a. A written allegation of the specific wrongful act and harm done; and

- b. A written statement of the remedy or adjustment sought.
3. Upon receipt of the written statement, the Associate Vice President for Public Safety or designee will acknowledge its receipt by signing their name along with the date and time. Within five (5) working days, the Associate Vice President for Public Safety or designee shall analyze the facts or allegations, meet with the aggrieved and/or their representative and shall within five (5) working days after the meeting affirm or deny the decision, in writing, on the Grievance Form. A statement of the allegation and the remedy or adjustment should also be included on the Grievance Form.

IV. Appeal Process

A. Formal Resolution

If the employee and/or the employee's designated representative are not satisfied with the formal resolution, the employee may appeal to the President of the University of Maryland, Baltimore or the President's designated representative. The appeal must be submitted to the President of the University of Maryland, Baltimore or the President's designated representative within five (5) working days after receipt of the written decision from the Associate Vice President for Public Safety or designee.

B. Legal Counsel Representation

Both the aggrieved person and the President of the University of Maryland, Baltimore may be represented or accompanied by legal counsel, fellow employees, etc. The President or representative shall hold a conference with the employee and/or the employee's representative within ten (10) days of receipt of the written grievance appeal and a written reply identifying the remedy or adjustments to be made shall be provided to the employee within fifteen (15) working days after the conclusion of the conference.

C. Office of Administrative Hearings

In the case of any unresolved grievance between an employee and the University, the aggrieved employee, after exhausting all available procedures provided by the University, shall have the right to submit the grievance to either arbitration or to the President of the University. The appeal must be submitted within ten (10) days after the receipt of any written decision pertaining to the grievance and issued by the University. In the event of arbitration, an arbiter shall be supplied by the American Arbitration Association. The parties involved shall be equally assessed any fees resulting from arbitration. In either case, the President of the University or Administrative Law Judge shall make the final decision which shall be binding upon all parties.

D. Grievance Board

The UMBPF does not have a grievance board.

E. Grievance Records

1. Due to their sensitivity and to control access to them, all documents and records concerning employee grievances are maintained in the Office of the Associate Vice President for Public Safety.

2. A record of each grievance is maintained on a computerized log. A copy of the grievance form is placed in the employee's personnel file.
3. A copy of each grievance shall be filed with the University of Maryland, Baltimore's Office of Human Resource Services. These records will be available to the employee or their representative.

F. Analysis of Grievance

The Associate Vice President for Public Safety or designee will prepare a documented annual analysis of grievances to identify trends and to take steps to minimize the causes of such grievances in the future.

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