

## CHAPTER 11

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## CHAPTER 11

### COMPLAINTS AND GRIEVANCES

**Purpose:** The County's Grievance Procedures provide an immediate and fair method for resolving certain disputes which may arise between the County and employees.

**Intent:** The County's goals in administering its personnel system are: to resolve your complaint or dispute in an informal manner and to ensure that these procedures reflect what is required by Virginia State Code.

#### 11.0 DEFINITION OF A GRIEVANCE\*

A grievance is a complaint or dispute by a County employee relating to employment, including but not necessarily limited to:

- (A) Disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals are grievable whenever resulting from formal discipline or unsatisfactory job performance;
- (B) The application of personnel policies, procedures, rules, and regulations;
- (C) Discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, sexual orientation, gender identity, or other non-merit factors\*\*; or
- (D) Acts of retaliation resulting from your use of or participation in the grievance procedure, your compliance with any law of the United States or of the Commonwealth, your reporting any violation of such law to a governmental authority, your seeking any change in law before the Congress of the United States or the General Assembly, or your reporting an incidence of fraud, abuse or gross mismanagement.

See also Sections 10.4 and 8.7.09 of these personnel policies.

#### 11.1 MANAGEMENT RESPONSIBILITIES

The County reserves the exclusive right to manage the affairs and operations of the departments, boards, agencies, and other offices serving Loudoun County. Accordingly, the following complaints are not grievable:

- (A) Establishment and revision of wages or salaries, position classifications, or general benefits;

\* Revised November 20, 1996  
\*\*Revised January 5, 2010

- (B) Work activity accepted by you, as an employee, as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- (C) The contents of ordinances, statutes, or established personnel policies, procedures, rules and regulations;
- (D) Failure to promote, except where you, as an employee, can show established policies or procedures governing promotion were not followed or applied fairly;
- (E) The methods, means, and personnel by which such work activities are to be carried on;
- (F) Termination, lay-off, demotion, transfer, or suspension from duties due to a lack of work, reduction in work force, or job abolition. However, if such action affects you after you have been reinstated as the result of the final determination of a grievance within the six-month period immediately preceding the termination, lay-off, demotion, transfer, or suspension from duties due to a lack of work, reduction in work force, or job abolition, that action is grievable. However, that action will be upheld upon a showing by the Department Head that (i) there was a valid business reason for the action, and (ii) you were notified of such reason in writing prior to the effective date of the action;
- (G) The hiring, promotion, transfer, assignment, and retention of employees within the County personnel system; and
- (H) The relief of employees from duty in emergencies.

## **11.2 COVERAGE OF PERSONNEL <sup>1/2</sup>**

- (A) As a regular, full or part-time, employee, you are eligible to file a grievance if you are an employee of the Board of Supervisors or of an agency, board, or other organization that is covered by County personnel policies. You are not eligible to file a grievance if you are a probationary, temporary or seasonal employee. <sup>1/2</sup>

Deputy County Administrators or Department Heads may file grievances only regarding dismissals.

Sworn employees of the Sheriff's Office must use the grievance procedure maintained within the General Orders of the Sheriff.

- (B) The County Administrator or designee determines the officers and employees excluded from the grievance procedure and is responsible for maintaining an up-to-date list of the excluded positions.

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<sup>1</sup>Revised July 6, 2011

<sup>2</sup>Revised June 5, 2012; Effective July 1, 2012

### **11.3 PARTIES TO A GRIEVANCE**

- (A) In order to be pursued as a grievance, the condition or occurrence complained of by you, as an employee, must:
  - 1. Personally and directly affect you; and
  - 2. Must be capable of being remedied by the employer identified in the complaint as the respondent. The agency, board, or other organization that exercises the management responsibilities identified in Paragraph 4, above, shall be the proper respondent. If the proper respondent is not the Board of Supervisors, the complaint may be pursued in accordance with this Procedure only if such agency, board, or other organization has been included in the coverage of this Procedure at the discretion of the Board of Supervisors.
- (B) Refer questions concerning your standing to file a grievance and/or the respondent's authority to remedy the occurrence or condition complained to the County Administrator or designee for a determination.

### **11.4 EFFECT ON OTHER RIGHTS AND PROCEDURES**

- (A) The classification of a complaint as nongrievable does not restrict your right to seek or management's right to provide customary administrative review of complaints outside the scope of the grievance procedure.
- (B) Nothing in this Chapter is intended to circumscribe or modify the right of the County to exercise those management responsibilities identified in Paragraph 4, above.

### **11.5 QUALIFICATION FOR PANEL HEARING**

- (A) Decisions regarding grievability and access to the procedure are made by the County Administrator or designee at any time prior to the panel hearing, at the request of the Department Head or grievant (using the Determination of Grievability or Compliance Form), within **ten calendar days** of the request. No County Attorney or Attorney for the Commonwealth may decide questions of grievability or access. For each complaint or dispute pursued through this Grievance Procedure, only one determination of grievability may be sought from the County Administrator or designee. A copy of the ruling is sent to the Grievant and to his or her Department Head.

- (B) Decisions of the County Administrator or designee may be appealed to the Circuit Court of Loudoun County for a hearing on the issue of whether the grievance qualifies for a panel hearing.
- (C) Proceedings for appeal to the Circuit Court the County Administrator or designee's decision are instituted by the grievant by filing a notice of appeal with the County Administrator or designee within **ten calendar days** from the date of receipt of decision. The grievant gives copies of the notice of appeal to all other parties.
- (D) Within **ten calendar days** thereafter, the County Administrator or designee transmits to the Clerk of the Circuit Court of Loudoun County: a copy of the decision of the County Administrator or designee, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court is also furnished to the grievant. The County Administrator or designee's failure to transmit the record within the time allowed does not prejudice the rights of the grievant. On motion of the grievant, the court issues a writ of certiorari requiring the County Administrator or designee to transmit the record on or before a certain date.
- (E) Within **thirty days** of receipt of such records the clerk, the court, sitting without a jury, hears the appeal on the record transmitted by the County Administrator or designee and any additional evidence necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, receives such additional evidence as required. The court affirms, reverses or modifies the decisions of the County Administrator or designee. The court's decision is rendered **no later than the fifteenth day** from the date of the conclusion of the hearing. The decision of the court is final and is not appealable.
- (F) Once raised, issues of grievability and access must be resolved before the grievance is processed further. Any time limitation prescribed by this Grievance Procedure is tolled during the time in which the issue of grievability or access is being considered by the County Administrator or the Circuit Court. Time limits begin to run again the day after a determination of grievability has been issued.

## **11.6 COMPLIANCE**

- (A) After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure including the panel hearing without just cause will result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance **within five work days** of receipt of written notification by the

other party of the compliance violation. Such written notification by the grievant is made to the appointing authority.

- (B) Failure of either party without just cause, to comply with all substantial procedural requirements of the provisions relating to the Panel Hearing results in a decision in favor of the other party. Compliance determinations made by the County Administrator or designee are subject to judicial review by filing petition with the Circuit Court **within thirty days** of the compliance determination.

## **11.7 GENERAL PROCESS**

- (A) Once you reduce your grievance to writing, you must specify on the "Employee Grievance Form" the specific remedy you expect.
- (B) When you decide to reduce your grievance to writing, you obtain the required forms from Human Resources. Human Resources opens a file on the grievance, and assists you, and the Department Head, in the processing of the grievance. Human Resources is not required to inform you, as a grievant, of the exhaustion of time limitations.
- (C) Insofar as is possible, meetings and hearings are conducted on the employer's time.
- (D) Where you, as an employee, are reasonably required to be present as a witness in a meeting or hearing provided for in this Procedure, the employer cooperates insofar as is possible in making that witness available for such purpose. In any case, the employer cannot interfere with presence of any necessary witnesses, but the operation of essential services cannot be interrupted by such appearance.

## **11.8 CONSOLIDATION AND ADJOURNMENT**

- (A) In the event that two or more grievances arise out of the same factual circumstances and are pending at the same time, the County Administrator or designee, at any time prior to the commencement of a Panel Hearing, may consolidate those grievances for joint processing. A decision as to whether or not the grievances are appropriate for consolidation is based on considerations of efficiency and the ability to afford a full and fair resolution of the complaints or disputes. The County Administrator or designee's decision as to the consolidation of grievances is final.

If the grievances are consolidated, all time limits set forth in this Procedure are thereafter calculated from the date of the last filed grievance. Once consolidated, the grievances are processed as a single matter.

- (B) Any meeting required to be convened by this Procedure may be adjourned to another time or place by mutual agreement between the grievant and the respondent. However, a Panel hearing may be adjourned only by majority vote of the members of the Panel.

## **11.9 GRIEVANCE PROCEDURE**

- (A) **First Step: Immediate Supervisor Level.** The Grievance Procedure begins with a face-to-face discussion of the complaint or dispute.
1. You must discuss the grievance with the your immediate supervisor (at the "limited supervision level") within **twenty calendar days** after the occurrence of the event giving rise to the grievance, or within **twenty calendar days** following the time when you should reasonably have known of its occurrence.
  2. At this step, you need not put your grievance in writing.
  3. Only you and your immediate supervisor are present during this discussion.
  4. Your immediate supervisor responds to the grievance either orally or in writing within **seven days** of the conclusion of the discussion of the grievance.
- (B) **Second Step: Senior Staff Level.** If after exhausting the first step, the grievance has not been resolved to your satisfaction, you may seek resolution of the matter with a face-to-face meeting with your supervisor who is at Senior Staff level.
1. Reduce your grievance to writing on the "Employee Grievance Form". The written grievance sets forth the facts on which the complaint or dispute is based, and states the specific remedy you seek. You provide all the information required by the form and sign it. Where required information is unavailable, indicate so in writing.

2. File your written grievance with your supervisor at Senior Staff level within **seven calendar days** after you receive the oral or written response of your immediate supervisor.
  3. If your immediate supervisor is also your Senior Staff supervisor, file a completed "Grievance Reply at Step 2 and Employee Answer Form" with your Department Head within **seven calendar days** of receiving the response from your immediate supervisor.
  4. The Senior Staff supervisor hears the grievance within **seven calendar days** of receipt. Only you, the Senior Staff supervisor and appropriate witnesses for each side are present at this meeting. Witnesses are present only when actually providing testimony.
  5. The Senior Staff supervisor provides you, the grievant, a written response within **seven calendar days** after the meeting.
- (C) **Third Step: Department Head Level.** If, after exhausting the foregoing steps, the grievance has not been resolved to your satisfaction, you seek resolution of the matter with your Department Head. **This is the final management step.**
1. Submit the written grievance "Step 2 - Employee Answer" to your Department Head within **seven calendar days** of receiving the response from your Senior Staff supervisor.
  2. The Department Head hears the grievance within **seven calendar days** of the submittal of the written grievance.
  3. If your immediate supervisor is also your Department Head, the Assistant, Deputy County Administrator or the County Administrator (as determined by the County Administrator) assumes the management responsibilities of Step 3.
  4. If your immediate supervisor is the County Administrator, the Board of Supervisors determines the management responsibilities of Step 3.



5. You, your Department Head, and appropriate witnesses are present at this meeting. Witnesses are present only while actually providing testimony. In addition, you may have present a representative of your choice. If you are represented by legal counsel, management likewise has the option of being represented by counsel. Notify your Department Head at least **four calendar days** prior to the meeting of your decision to be represented by legal counsel.
  6. Your Department Head provides you with a written response (Step 3 Reply) to the grievance within **seven calendar days** after the meeting.
- (D) **Appeal of the Decision of the Department Head/Request for a Panel Hearing.** If, after exhausting the foregoing steps, the grievance has not been resolved to the your satisfaction, you can request a hearing before an impartial panel.
1. To qualify for a Panel Hearing, you must file a written appeal to the County Administrator or designee within **seven calendar days** of your receiving the written decision of your Department Head.
  2. Such written appeal is made on the "Request for Panel Hearing Form" and is available to the grievant on request through the Human Resources. Once completed, the form sets forth the facts upon which your grievance is based and the specific remedy you seek. The name, address, and telephone number of the person whom you appoint to sit on the impartial panel is included on this form.

#### **11.10 CONVENING THE PANEL HEARING\***

- (A) After receiving your request for a panel hearing, the County Administrator or designee promptly submits the request form, accompanied by all required attachments, to Human Resources. Human Resources coordinates the selection of the panel members and assists in scheduling the Panel Hearing. In the event that the Manager of Human Resources is directly involved in the grievance, the County Administrator or designee shall retain the request form and assume the responsibilities of coordinating the selection process and scheduling the hearing.
- (B) The Panel shall be constituted as provided below.
1. The Panel is composed of three members consisting of one member appointed by the grievant, one member appointed by the Department Head and a third member selected by the first two. In all cases, the third member is the Chairperson of the Panel.

**\* Revised November 20, 1996**

2. If **within seven calendar days** of the appointment of a Panel member by the Department Head agreement cannot be reached as to the final member of the Panel, the Chief Judge of the Circuit Court of Loudoun County selects the final member.
  3. To ensure impartiality, the Panel is not composed of any persons having direct involvement with the grievance being heard by the Panel or with the complaint or dispute giving rise to the grievance. **The following are prohibited from serving as Panel members:** managers who are in a direct line of supervision of a grievant; members of the grievant's household including the grievant's spouse, parent, child, descendants of a child, sibling, niece, nephew and first cousin; attorneys having direct involvement with the subject matter of the grievance, or a partner, associate, employee or co-employee of such attorney.
- (C) In the event that the Panel Hearing of any two or more grievances that have been consolidated involves more than a single grievant, each separate grievant appoints one panel member, and the Department Head appoints one panel member in response to each such selection, so that the number of panel members selected by the grievant is equivalent to the number of panel members selected by the Department Head. The final panel member is chosen in accordance with the provisions of this section.
- (D) On receipt of your written request for a panel hearing, the Human Resources Office contacts your designated appointee to confirm his or her willingness to serve as a panel member. Should the initial appointee be unwilling or unable to serve, you are notified and have **seven calendar days** within which to appoint a panel member who is ready, able, and willing to serve.
- (E) On receiving the request for a Panel Hearing, Human Resources promptly notifies the Department Head that a Panel Hearing has been requested. The Department Head appoints a panel member within **seven calendar days** of receipt of such

notice. The Department Head verifies that the appointee is ready, willing, and able to serve on the Panel prior to notifying Human Resources of the selection.

- (F) When both the grievant and the Department Head have notified Human Resources of their respective selections of panel members, Human Resources promptly notifies the first two panel members that they have **seven calendar days** from the receipt of such notice within which to select the final panel member.
- (G) In the event that the panel member appointed by the parties fails to reach an agreement as to the appointment of the final member **within such seven day period**, Human Resources promptly forwards a request for the appointment of the final panel member to the Circuit Court through the Office of the County Attorney.
- (H) The final member serves as chairperson of the Panel, and after consulting with the other panel members, the grievant, and the Department Head sets the time and place for the hearing and notifies such persons accordingly. The hearing commences at the earliest available date agreeable to all involved parties.\*

#### **11.11 DOCUMENT EXCHANGE PRIOR TO CONDUCT OF THE PANEL HEARING**

- (A) Human Resources provides members of the panel with copies of the grievance record. A list of the documents constituting that record is provided to the grievant.
- (B) At least **ten calendar days** prior to the panel hearing, the grievant and his/her representative are allowed access to and copies of all relevant files intended to be used by the County at the hearing. This does not include documents which are protected under State or Federal law or regulations.
- (C) At least **five calendar days** prior to the commencement of the hearing, each side exchanges documents, exhibits and a list of prospective witnesses.

#### **11.12 CONDUCT OF THE PANEL HEARING**

The Panel conducts the hearing in accordance with the following rules:

- (A) The hearing is open to the public unless either party requests of the Chairperson a closed hearing.
- (B) Upon the request of either party, witnesses are sequestered during the taking of evidence, except that nothing herein shall be interpreted to require that a grievant or a Department Head shall be denied the opportunity to be present during any portion of the hearing.
- (C) The Department Head proceeds first.
- (D) Each party is afforded 20 minutes, prior to the taking of evidence, to make an opening statement. In addition, the Panel may ask the parties or their representatives for statements clarifying the issues involved in the grievance at any time during the hearing.
- (E) Exhibits, when offered by any party, are received as evidence by the Panel so long as such exhibits are determined to be relevant by the Panel. When exhibits are received, they are marked and made a part of the record. All evidence is offered in the presence of the panel and the parties except by mutual consent.
- (F) Each party is afforded a full and equal opportunity to offer evidence and cross examine witnesses without regard to the burden of proof, and produces such additional evidence as the Panel deems necessary to arrive at an understanding and determination of the dispute.
- (G) There are no formal rules of evidence for the Panel Hearing. However, the Panel shall be the judge of the relevancy and materiality of any evidence offered. The issue of relevancy or materiality may be raised by either party, or by any member of the Panel. A determination of relevancy or materiality is based upon the following considerations:
  - 1. The need to afford each party a full and equal opportunity to present facts and arguments; and
  - 2. The need to avoid unnecessary delay; and
  - 3. The scope of the remedy that may be awarded by the Panel and effectively implemented by the parties.
- (H) Any determination rendered by the Panel is decided by a majority of the members of the Panel, who each carry one vote.

- (I) The Panel may adjourn the hearing to another time or place.
- (J) The Panel Chairperson inquires of all parties whether or not they have any further proofs to offer or witnesses to be heard. When all parties have indicated that their evidence has been fully presented in accordance with these rules, the Chairperson permits each party to present a closing summary not exceed 15 minutes in duration. The Department Head may reserve up to five minutes of his allotted time for rebuttal to the grievant's closing summary.
- (K) Upon the conclusion of the presentation of the closing summaries, the Chairperson declares the hearing closed.
- (I) Once closed, the hearing can not be reopened.
- (M) The Panel determines the procedure to be followed in all matters not covered by these rules.
- (N) Human Resources ensures that a verbatim record of the hearing is made either in writing or on recording tape. Such record is retained in the custody of Human Resources for a period of not less than six months. In the event that the Manager of Human Resources is directly involved in the grievance, the County Administrator or designee assumes these duties. The grievant is entitled to receive a copy of such record for a reasonable fee.

### **11.13 DECISION OF THE GRIEVANCE PANEL**

- (A) The Panel is authorized only to determine whether or not a grievance pursued by an employee has merit and what remedy, if any, should be afforded. The Panel is not authorized to formulate or change policy, rules, or procedures. The Panel decision does not abridge in any way the respondent employer's right to exercise the management responsibilities identified in these procedures.
  
- (B) The Panel's decision is filed in writing (using the "Decision of the Panel" Form) by the Panel Chairperson with the Department Head, the County Administrator, the grievant, and Human Resources no later than **fourteen calendar days** after the closing of the hearing. The decision summarizes the grievance and the evidence, makes specific findings of fact, states in full the reasons for the decision, and determines the remedy to be granted.
  
- (C) The grievant bears any cost involved in employing representation and in preparing his or her case.
  
- (D) If the Panel determines that the grievance is meritorious in whole or in part, it may grant specific relief as follows:
  - 1. Order that an employee be reinstated to a former position; award back pay; order expungement of information contained in the employee's personnel files or other files maintained by the County; or render opinions as to the application, or interpretation of these personnel policies or rules and regulations adopted thereunder, as they may relate to the specific facts of the case before it.
  
  - 2. If the Panel finds that a Department Head failed to follow established procedures governing promotion, demotion, transfer, hiring or layoff, it remands the grievance to that Department Head with the instruction that the action taken by the Department Head be rescinded, and proper procedures be followed for the matter in issue. In connection with such remand, the Panel may make provisional orders governing the case. For example, a person improperly promoted to a position may continue to serve temporarily in the position to which he was promoted, pending compliance with appropriate procedures.

- (E) Any management decision made under the provision of Section 11.1 to include termination, layoff, demotion, transfer, or suspension from duties due to a lack of work, reduction in work force, or job abolition which is the subject of the grievance will be upheld by the Panel upon a showing by the Department Head that:
  - 1. There was a valid business reason for the action; and
  - 2. The grievant was notified of such reason in writing prior to the effective date of the action.
- (F) The Panel can affirm or modify any decision reached by any supervisor at any previous stage of the grievance proceedings.
- (G) In the event that the Panel finds that the grievance was not merited, it may order that a statement to that effect be included in the grievant's personnel file.
- (H) The Panel's decision is binding and final and must be consistent with the provisions of law and written policies.
- (I) The County Administrator or designee determines the question of whether the relief granted by the Panel is consistent with written policy. If the County Administrator or designee has a direct personal involvement with the event or events giving rise to the grievance, the Commonwealth's Attorney makes that decision.

#### **11.14 IMPLEMENTATION OF REMEDY**

- (A) Your Department Head implements the remedy ordered by the Panel, provided that such decision is consistent with law and established policies.
- (B) Any party may petition the Circuit Court of Loudoun County for an order requiring implementation of the decision of the Panel.

**11.15 COMPUTATION OF TIME\***

- (A) Except where otherwise provided, any response required to be provided to the grievant at any step of the grievance procedure shall be considered to have been received by the grievant either upon in-person delivery of the response to the grievant or three calendar days after the date upon which the response was mailed to the grievant by regular mail. When the first step of the grievance procedure results in an oral response, that response will be considered to have been received immediately upon communication of the response to the grievant.
  
- (B) Except where otherwise provided, time periods under these regulations begin on the day following that on which any action is to be taken or report rendered, without regard to weekends or holidays. If a deadline ends on a weekend or holiday, the deadline is extended to the end of business on the first working day. For example, a written grievance following the first step must be presented to the grievant's Senior Staff supervisor within seven calendar days of the immediate supervisor's oral or written reply to the informal grievance. The seven calendar days begin on the day after receipt of the supervisor's reply and end on the seventh calendar day following, regardless of whether that is a weekend or holiday. If in fact it is a weekend or holiday, the time period shall be deemed to terminate at the end of the next full working day.
  
- (C) Time limits established under this procedure are intended to be strictly interpreted and enforced. However, in the interest of fairness, any time limits may be extended if all parties agree.



## **APPENDIX A**

### **GRIEVANCE FORMS**

**Employee Grievance Form**

**Griev. Reply at Step 2 & Employee Answer Form**

**Griev. Reply at Step 3 & Employee Answer Form/Request for Panel Hearing**

**Decision of Panel Form**

**Determination of Grievability or Compliance Form**

**COUNTY OF LOUDOUN  
EMPLOYEE GRIEVANCE FORM**

If you have a problem regarding your employment, first discuss the problem, on a face-to-face basis, with your immediate supervisor. The discussion must take place within twenty calendar days after you became aware of the problem. If the problem is not settled to your satisfaction and the problem is a grievance, you can then submit your grievance in writing, to your Senior Staff Supervisor using this form, with a copy to Human Resources, within 7 calendar days of your receiving a response to your complaint from your immediate supervisor.

In presenting a grievance, you must be specific and state exactly what occurred to cause the grievance. For example, what rule or regulation was unjustly applied how, when, where, by whom and to whom. Grievances that are not specific or are incomplete will be returned for further information. The specific remedy you seek must also be clearly stated.

**EMPLOYEE INFORMATION**

Name: \_\_\_\_\_ Class Title: \_\_\_\_\_ Department: \_\_\_\_\_

**DATES, TIMES AND LOCATION**

Date and Time of Occurrence: \_\_\_\_\_ Location: \_\_\_\_\_

Date Presented to Immediate Supervisor: \_\_\_\_\_

**STATEMENT OF EMPLOYEE'S GRIEVANCE**

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**SPECIFIC REMEDY DESIRED**

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Employee's Signature: \_\_\_\_\_ Received by: \_\_\_\_\_  
Date: \_\_\_\_\_

Copy to Department Head & Human Resources

(IF NECESSARY, ATTACH ADDITIONAL SHEETS)

**COUNTY OF LOUDOUN  
GRIEVANCE REPLY AT STEP 2 AND EMPLOYEE ANSWER FORM**

**STEP 2 REPLY**

To be completed and returned to employee within 7 calendar days of hearing in Step 2.

**EMPLOYEE INFORMATION**

Employee Name: \_\_\_\_\_ Class Title: \_\_\_\_\_ Department: \_\_\_\_\_

Issues determined to be grievable: \_\_Yes\_\_No

**REPLY TO EMPLOYEE GRIEVANCE**

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Summary of Supervisor's Step 1 Reply: (if available)

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Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_ Received  
By: \_\_\_\_\_ Date: \_\_\_\_\_

**EMPLOYEE ANSWER**

To be completed and filed by employee within 7 calendar days of receipt of reply from Senior Staff Supervisor.

I am satisfied with the answer to my grievance.

I am not satisfied with the answer to my grievance and wish to have it referred to Step 3.

Additional Comment:

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Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Copy to Department Head & Human Resources

(IF NECESSARY, ATTACH ADDITIONAL SHEETS)

**COUNTY OF LOUDOUN  
GRIEVANCE REPLY AT STEP 3 AND EMPLOYEE ANSWER FORM**

**STEP 3 REPLY**

To be completed and returned to employee within 7 calendar days of hearing in Step 3.

**EMPLOYEE INFORMATION**

Employee Name: \_\_\_\_\_ Class Title: \_\_\_\_\_ Department: \_\_\_\_\_

**REPLY TO EMPLOYEE GRIEVANCE**

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Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_  
Received By: \_\_\_\_\_ Date: \_\_\_\_\_

**EMPLOYEE ANSWER**

To be completed and filed by employee within 7 calendar days of receipt of reply from Department Head.

I am satisfied with the answer to my grievance.

I am not satisfied with the answer to my grievance and wish to have it referred to a panel for decision.

**REQUEST FOR PANEL HEARING**

To be completed and filed by employee with County Administrator within 7 calendar days of receipt of reply from Department Head.

Facts Upon which Grievance is Based:

Specific Remedy Desired:

Name of Employee Panel Member: \_\_\_\_\_ Telephone No. \_\_\_\_\_

Panel Member's Address:

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Copy to Department Head & Human Resources

(IF NECESSARY, ATTACH ADDITIONAL SHEETS)

**COUNTY OF LOUDOUN  
DECISION OF PANEL**

To be filed by Chairperson with the Department Head, the grievant, the County Administrator, and Human Resources within 14 calendar days after the close of the hearing.

Grievant: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_ Place of Hearing: \_\_\_\_\_

Panel Members: (1) \_\_\_\_\_  
(Employee Selection)

(2) \_\_\_\_\_  
(Appointing Authority Selection)

(3) \_\_\_\_\_  
(Chairperson)

**Grievance Summary and Evidence:**

Reasons for Decision:

Remedy granted:

Exhibits attached:

Signed: \_\_\_\_\_  
Panel Member                      Panel Member                      Panel Member

(IF NECESSARY, ATTACH ADDITIONAL SHEETS)

**COUNTY OF LOUDOUN  
DETERMINATION OF GRIEVABILITY OR COMPLIANCE**

A request for determination of grievability or compliance may be made by the grievant or the Department Head by filing this form with the County Administrator or designee. If the County Administrator or designee or the Circuit Court, on appeal, determines that the issue is grievable, than the grievant may proceed to the next step of the grievance procedure.

Grievability determinations made by the County Administrator or designee may be appealed to the Circuit Court by signing and filing this form with the County Administrator or designee within ten calendar days of the grievability determination.

Compliance determinations made by the County Administrator or designee may be appealed to the Circuit Court by signing and filing this form with the County Administrator or designee within thirty days of the compliance determination.

**REQUEST FOR DETERMINATION OF GRIEVABILITY OR COMPLIANCE**

Name of Requestor:

Nature of Grievance:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DECISION OF COUNTY ADMINISTRATOR OR DESIGNEE**

Decision

Reason, if non-grievable:

County Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPEAL**

I wish to appeal the decision on grievability or compliance. I request that you transmit to the Circuit Court your decision on grievability or compliance, plus all exhibits, as required by law.

Signature:

Date: \_\_\_\_\_

(IF NECESSARY, ATTACH ADDITIONAL SHEETS)