



## GRIEVANCE PROCEDURE

A grievance is defined as an act, omission or occurrence which a permanent classified employee feels constitutes an injustice and can be established on factual information. It may relate to any condition arising out of the relationship between an employer and an employee, including but not limited to, compensation, working hours, working conditions, membership in an organization of employees or the interpretation of any law, regulation or disagreement. It does not include position allocation, involuntary transfers, dismissals, demotions, or suspensions.

The grievance procedure and statements made on this form do not include all the rights available to a grievant. Consequently, NAC 284.658 through 284.697, which provide direction for the adjustment of grievances, should be reviewed prior to the filing of a grievance.

### **Instructions for All Parties (Employee and Management)**

1. All parties may consult with and receive the assistance of their department personnel offices or the Division of Human Resource Management in resolving a grievance (NAC 284.662(4)). Division of Human Resource Management contact information can be obtained from our website [www.hr.nv.gov](http://www.hr.nv.gov), or by calling (775) 684-0135.
2. A formal grievance must be filed within 20 working days following origin of the grievance or the date an employee who feels aggrieved learns of the problem unless it is related to a contested report on performance. **Every effort should be made to resolve the grievance by informal discussion during this 20-day period** (NAC 284.678(1)).
3. If a grievance relates to a contested report on performance, an employee must file a grievance identifying the points of contention within 10 working days after:
  - The date the employee receives a decision regarding a review conducted by the appointing authority; or
  - The employee fails to receive a decision by the response due date regarding a review conducted by the appointing authority (NAC 284.678(3)).

Except for grievances filed with the EMC, the time limit for filing a grievance and for taking any action required by either party at steps 1-3 in the grievance procedure may be extended by the mutual agreement of the parties. Use form TS-145 for this purpose.

### **Instructions for The Employee Submitting A Grievance (Grievant)**

1. When a formal grievance is filed, all the information requested on the NPD-50 form *must* be provided. The description of the grievance should include the names of other persons involved in the act, omission or occurrence.
2. The normal course of action in the grievance procedure is as follows:

Step 1: File with Immediate Supervisor - If not resolved within 10 working days, take next step.

Step 2: File with Division Head - If not resolved within 10 working days, take next step.

Step 3: File with Department Head - If not resolved within 10 working days, take next step.

Step 4: File with Employee-Management Committee - Within 45 working days of receipt of the request, the EMC will render a decision or schedule a hearing and then render a decision.

**Resolution conference:** After a grievance has been submitted at Step 4, either the grievant or the agency may choose to request a resolution conference; if requested, participation is mandatory. A resolution conference is an informal meeting between the parties with the assistance of a neutral facilitator, provided by the Division of Human Resource Management, who is not affiliated with either of the parties. The resolution conference option provides an additional opportunity for a grievance issue to be discussed and for possible solutions to be considered. If the Employee-Management Committee has notified the parties of consideration of the date on which it will hold a hearing to

consider the grievance, the request for a resolution conference may not be submitted less than 15 working days before that date.

3. Following receipt of notification of action at steps 1-3, the grievant has 10 working days to refer the grievance to the next step unless the time limit is extended by agreement of the parties. A grievance may be submitted to the next level if the grievant has not received notification within the 10-working day period in which such action is required. The respondent, at each step, retains the documentation received from the grievant. The grievant is responsible for maintaining copies of the documentation he or she provided for his or her records and for filing at the next step in the grievance procedure, including attaching all previous responses when submitting the grievance to the next step.