

HARRIS COUNTY GRIEVANCE RESOLUTIONS COMMITTEE

RULES AND PROCEDURES

As adopted upon revision December 5, 1988. Revised August 1999.

I. INTRODUCTION

The Purpose of these rules and procedures is to provide for the informal, yet reasonable and standardized hearing of Harris County employee grievances brought before the Grievance Resolutions Committee. Commissioners Court created the Grievance Resolutions Committee in compliance with Chapter 160 of the Local Government Code as amended.

II. PREHEARING

- A. The Employment Division of the Office of Human Resources & Risk Management shall notify panel members in advance of a hearing. A copy of the material submitted by the grievant will be given to panel members in order to enable the members to prepare for the hearing. Panel members may request supplemental materials from the Assistant Director of Human Resources & Risk Management, who shall act as the Grievance Committee Coordinator/Chairperson.

Any additional information submitted by the grievant or department for consideration at the hearing will be submitted to the panel members and to the grievant or respondent to provide for the fair exchange of information.

- B. The designated panel members shall arrive at the site of the hearing at least 15 minutes in advance of the scheduled hearing time in order to select a panel chairperson and to make other necessary preparations. The selection of the panel chairperson shall be held outside the presence of all parties and witnesses to the scheduled grievance.

III. CONDUCT OF THE MEETING

- A. Three committee members shall be designated to serve on a panel to hear a grievance.
- B. If three committee members are not present to hear a grievance, the Committee Coordinator/Chairperson shall reschedule the hearing.
- C. If a panel member does not attend a scheduled grievance hearing the Committee Coordinator/Chairperson shall notify, by letter, the elected official who appointed such panel member to the Harris County Grievance Resolutions Committee. If a panel member cannot attend a scheduled hearing it shall be that panel member's responsibility to notify the Committee Coordinator/Chairperson at least 48 hours prior to the date of the hearing when practical. Compliance with this notice requirement shall be noted in the letter to the appointing elected official.

D. Grievance Resolutions Committee members who are involved in a grievance in any manner at lower levels should notify the Committee Coordinator/Chairperson in order that they not be designated to hear that grievance.

E. Starting the Meeting:

1. The Committee Coordinator/Chairperson shall be responsible for seeing that the participants are seated in a timely manner.
2. The panel chairperson shall call the hearing to order and shall conduct the introduction of the panel and the participants.
3. The panel chairperson shall read the following to the participants:

"The purpose of this hearing is to allow the respective parties an opportunity to present testimony in support of their position as stated in the grievance forms. The documents have been submitted to the panel members for their review in order to assist them in making a fair recommendation.

This is not a judicial hearing -- the rules of evidence do not apply. Everyone is expected to show respect toward each other and everyone is encouraged to discuss the grievance candidly in an effort to reach a resolution."

The panel chairperson is responsible for enforcing order and decorum at all times. Loud and abusive language by any of the participants will not be tolerated and will be grounds for removal from the hearing.

The scope of the hearing will be limited to the applicable issues. The panel members reserve the right to ask questions at any point during the hearing.

The grievant will present his/her claim in an effort to support his/her grievance. Management will then present its case in an effort to justify the action about which the grievance has been filed. The participants are asked to be as brief as possible and to avoid repetition.

At the conclusion of the hearing, the panel will meet in private to deliberate and, within five workdays, make a recommendation in regard to the grievance.

4. At the discretion of the panel chairperson, all witnesses (with the exception of the grievant, a management spokesperson, and any other witness that the panel chairperson exempts) shall be asked to wait outside the hearing room until called to testify.

F. Presentation of the Evidence

1. Grievant proceeds first
 - a) A brief opening statement not to exceed five minutes will be allowed. (Grievant states issues as presented on County Form 100.)
 - b) Evidence from the Grievant (Grievant presents specifics that led to the filing of the grievance).
 - c) Questions of the Grievant and his/her witnesses by management
2. Management proceeds after the Grievant
 - a) A brief opening statement not to exceed five minutes will be allowed.
 - b) Evidence from Management in support of their action
 - c) Questions of Management witnesses by Grievant
3. Rebuttal from the Grievant
4. Rebuttal from Management
5. Brief arguments or summaries not to exceed five minutes from both sides will be allowed.

G. At the conclusion of the hearing, the chairperson shall read the following statement:

"Now that all of the testimony and evidence has been heard and received, I hereby declare the evidentiary portion of this hearing to be closed."

IV. GENERAL RULES AND PROCEDURES

- A. The panel members will keep no record of the hearing and no recording of the proceedings will be allowed.
- B. Progress of the hearing will not be interrupted in order to brief the late arrivals on events that transpired prior to their arrival.
- C. If either party wishes to present documents at the hearing in support of their position, the opposing party shall be entitled to inspect the document after the panel's inspection.
- D. All "rulings" will come from the panel chairperson and are final.
- E. The panel chairperson shall be responsible for the orderly conduct of the meeting and shall take whatever measures are necessary to maintain decorum among the panel and the participants and to ensure the orderly progress of the hearing.

- F. The panel members shall be entitled to ask questions during the hearing, but shall refrain from stating opinions, conclusions, summaries, etc. during the hearing.
- G. The Assistant Director of Human Resources & Risk Management or his/her representative shall serve as advisor to the panel on Harris County personnel policies, but he/she shall have no vote.
- H. The panel will deliberate in secret and will refrain from discussing its deliberations with the participants.
- I. The panel shall make its recommendation using Grievance County Form 600 and shall not state therein the reasons for its recommendation.