THE CITY OF DORAVILLE
AGENDA ITEM SHEET

Subject: Complaint Appeal

Date of Meeting: August 16, 2010

Budget Impact: ___Y ✓ N

Budget Impact Amount: $ —

Funding Source:
( )Annual
( )Capital
(X)N/A

Regular Meeting (X)
Work Session ( )
Recommendation ( )
Policy/Discussion ( )
Report ( )
Other ( )

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Action Requested: To amend the personnel manual to provide additional time for a employee to request in writing for a Public hearing/Appeal before the City council for such termination or resignation

History, Facts, Issues: Current Employee manual adopted June 15, 2009 section 10.3 complaints and review currently allows (2) working days to request a public hearing for such termination or resignation

Options:

Recommended Action: To amend the personnel manual section 10.3 complaints and review from (2) working days to (5) working days requesting in writing a public hearing before the city council for such termination or resignation

Department: _____ Department Head: _____

Administrative Comments and Recommendation:

Action Taken By Board:

(j) violation of the City's Workplace Violence policy;

(k) gossiping or discussing/disclosing confidential business or personnel matters;

(l) violation of policies or procedures set forth in this Manual; and

(m) other misconduct as determined by the City.

These examples are not all inclusive. Discipline and discharge decisions may be based on an assessment of all relevant factors, including the severity of the infraction and the employee's work record, as determined by the City.

Section 10.3. Complaints and Review.

Section 10.3.1. Policy. It is the desire of the City to resolve any concerns informally, and as such both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there may be circumstances that require further review. The City, therefore, has established the following guidelines to facilitate review of concerns about disciplinary matters.

Section 10.3.2. Definition. A "complaint," as used in this section, is an objection made by an employee concerning disciplinary action other than verbal counseling or a written reprimand affecting his employment with the City.

Section 10.3.3. Complaint Procedure. All regular employees who receives disciplinary action other than verbal counseling or a written warning may request that the action be reviewed by following the procedures:

A. Initial Complaint. An employee shall first present his complaint to his immediate supervisor. The supervisor shall attempt to resolve the problem promptly and fairly.

B. Review by Department Director. If the employee is dissatisfied with the supervisor's decision, he may obtain a review by the Department Director by submitting a request, in writing, within two (2) working days following the receipt of the supervisor's decision. The Department Director shall make such investigation as he may deem necessary and shall within a reasonable time inform the employee of his decision

C. Review by Mayor. If the employee is dissatisfied with the Department Director's decision, he may request that the decision be further reviewed by the Mayor by submitting a request, in writing, within two (2) working days following receipt of the Department Director's decision. The Mayor will review the

request and render a final decision within a reasonable time. The Mayor's decision shall be final as to any disciplinary action except in cases where an employee is terminated or requested or induced to resign.

D. Public Hearing. In cases where an employee is terminated or requested or induced to resign from his position of employment with the City, the employee shall have the right, if he so desires, to request in writing within two (2) working days of such termination or resignation a public hearing before the City Council for the purpose of determining the reason or reasons for such termination or resignation.

If requested, such public hearing shall be held within a reasonable time, but not more than thirty (30) days following such request. The public hearing may be held in conjunction with a regular meeting of the City Council. The decision of the City Council following the hearing shall be final.

If an employee fails to comply with the time limitations specified herein for review of his complaint, it shall be deemed that the employee has waived and forfeited all such rights of review.