



City of Harrisonburg, Virginia

Office of the City Manager

409 South Main Street
Post Office Box 20031
Harrisonburg, VA 22802
(540) 432-7701 / FAX (540) 432-7778

G. Chris Brown
City Attorney

TO: Kurt Hodgen, City Manager
FROM: Wesley Russ, Assistant City Attorney
DATE: December 5, 2016
RE: "Dispute Resolution – Grievance" Policy

Summary: Changes the current dispute resolution policy to utilize an administrative hearing officer and to clarify the format and procedures used in the hearing.

Background: The current dispute resolution policy calls for a three-member panel in the final step of a grievance. The proposed changes provide for the use of an administrative hearing officer. These proposed changes to the dispute resolution policy are reflected in Part 10.10.D. of the revised policy. Under this policy, an administrative hearing officer will be selected from a list of qualified hearing officers maintained by the Virginia Supreme Court or the Virginia Department of Human Resources Management. The revisions also clarify what issues are to be decided by the hearing officer and provide additional details regarding the format and procedure of the hearing.

Key Issues: Switching from a three-member panel to an administrative hearing officer will ensure grievances are handled in a timely manner and the outcomes of grievances are consistent with City policy. Currently, it can take several weeks to select a panel and schedule a hearing, and panels may have difficulty deciding the issues presented and lack the expertise in employment and personnel law that trained administrative hearing officers have. This change would provide the City with an immediate and impartial means of resolving disputes that arise involving employees.

Environmental Impact: n/a

Fiscal Impact: Use of an administrative hearing officer will increase the cost of a grievance hearing by approximately \$2500.00

Prior Actions: The dispute resolution policy was last amended on December 1, 2004.

Alternatives: (a) Approve the amended dispute resolution policy; or
(c) Not approve the amended dispute resolution policy.

Community Engagement: n/a

Recommendation: Staff recommends approval of the amendments to the policy.

Attachments: 1. Amended "Dispute Resolution – Grievance" Policy.



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Review:

The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

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