




**DEPARTMENT OF MENTAL HEALTH
POLICY/PROCEDURE**

SUBJECT EMPLOYEE GRIEVANCES	POLICY NO. 607.01	EFFECTIVE DATE 08/22/2013	PAGE 1 of 5
APPROVED BY:  Director	SUPERSEDES 607.01 01/15/2006	ORIGINAL ISSUE DATE 01/15/2006	DISTRIBUTION LEVEL(S) 1

PURPOSE

- 1.1 To provide policy and procedural guidance for processing and handling grievances filed by employees of the Los Angeles County-Department of Mental Health (LAC-DMH or Department).

DEFINITIONS

- 2.1 **GRIEVANCE:** A complaint by an employee alleging inequitable treatment resulting from a management action or lack of action on some aspect of employment status or working condition within the control of the Department Head.
- 2.2 **GROUP GRIEVANCE:** A complaint by a number of employees within the Department or unit alleging inequitable treatment resulting from a management action or lack of action on some aspect of employment status or working condition within the control of the Department Head.

POLICY

- 3.1 It is the intent of LAC-DMH to resolve grievances filed by employees of the Department promptly and equitably without discrimination, coercion, restraint, or reprisal against any employee who may submit a grievance.
- 3.2 An employee may present his or her grievance to management on County time. An employee may also use County time for preparation of grievances and the development of materials and information for use at a grievance meeting.
- 3.3 An employee has the right to select any person or organization to represent him or her in a formal grievance meeting. Representation on individual grievances shall be limited to one representative. The employee is required to be present at all grievance meetings.



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- 3.4 The supervisor or manager in the employee's chain of command has the responsibility to inform an employee of any limitation to fully resolve a grievance, supply the employee with the necessary information to process the grievance to the proper agency or authority, and discuss the employee's grievance with the employee, upon the employee's request, at a mutually satisfactory time.
- 3.5 If a Deputy Director is required to hear a grievance, the grievance will only be heard at the Third Level.

PROCEDURE REPRESENTED EMPLOYEE GRIEVANCES

- 4.1 The grievance procedure for represented employees is negotiated in the applicable Memorandum of Understanding (MOU) with the certified employee organization (union). Each MOU is available on-line at the Los Angeles County-Chief Executive Office (LAC-CEO) web site (see Reference 1).
- 4.2 Upon receipt of any grievance, the supervisor or manager shall immediately notify the Employee & Labor Relations Unit of the Department's Human Resources Bureau (HRB) for guidance.

PROCEDURE NON-REPRESENTED EMPLOYEE GRIEVANCES

- 5.1 There are time constraints at each level of the procedure, and this may require some grievances to be heard by persons in an "acting" capacity when the actual supervisor, District Chief/Division Chief/Deputy Director, etc., is on leave for vacation or illness.
- 5.2 Failure by management to reply to the employee's grievance within the time limits specified automatically grants to the employee the right to process the grievance to the next level.
- 5.3 Any level of review, or any time limits established in this procedure, may be waived or extended by mutual agreement confirmed in writing.
- 5.4 If an employee fails to appeal from one level to the next level within the time limits established in this grievance procedure, the grievance shall be considered



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settled on the basis of the last decision and the grievance shall not be subject to further appeal or reconsideration.

5.5 The procedures described in Subsections 5.6, 5.7, and 5.8 detail the three (3) levels in the grievance procedure for non-represented employees.

5.6 First Level

5.6.1 Within ten (10) business days from the occurrence of the matter on which a grievance is based, or within ten (10) business days from an employee's knowledge of such occurrence, an employee may file a formal written grievance with his or her immediate supervisor on the LAC-DMH Grievance Form (see Attachment 1).

5.6.2 Three (3) copies of the LAC-DMH Grievance Form shall be completed by the employee, stating the nature of the grievance and the desired remedy requested. The employee shall submit two (2) copies to his/her immediate supervisor and retain the third copy.

5.6.3 Upon receipt of any grievance, the supervisor or manager shall immediately notify the Employee & Labor Relations Unit of the LAC-DMH-HRB and seek guidance.

5.6.4 The supervisor or manager will meet with the employee at a mutually agreeable date and time to hear the grievance. In scheduling the time, place, and duration of any grievance meeting, both the employee and management will give due consideration to the duties each has in the essential operations of that department or organizational unit.

5.6.5 Within ten (10) business days from the grievance meeting, the supervisor or manager shall give his/her decision to the employee in writing.

5.7 Second Level

5.7.1 Within ten (10) business days from receipt of the immediate supervisors' written decision, and using the returned original LAC-DMH Grievance



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Form, if dissatisfied with the outcome of the first level, the employee may file the form with the next manager in the employee's chain of command.

5.7.2 Upon receipt of any grievance, the next manager in the employee's chain of command shall immediately notify the Employee & Labor Relations Unit of the LAC-DMH-HRB and seek guidance.

5.7.3 The next manager in the employee's chain of command will meet with the employee at a mutually agreeable date and time to hear the grievance.

5.7.4 Within ten (10) business days from the grievance meeting the manager shall give his/her decision to the employee in writing.

5.8 Third Level

5.8.1 Within ten (10) business days from the receipt of the written decision of the manager, and using the returned original LAC-DMH Grievance Form, if dissatisfied with the outcome of the second level, the employee may file the form with the Deputy Director in the employee's chain of command. This grievance step represents the third level of supervision above the employee.

5.8.2 Upon receipt of any grievance, the Deputy Director in the employee's chain of command shall immediately notify the Employee & Labor Relations Unit of the LAC-DMH-HRB and seek guidance.

5.8.3 The Deputy Director or the designated representative will meet with the employee at a mutually agreeable date and time to hear the grievance.

5.8.4 Within ten (10) business days from the grievance meeting, the Deputy Director or the designated representative shall give his/her decision to the employee in writing.

5.8.5 The written decision of the third level manager shall be final.



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ATTACHMENT (HYPERLINKED)

1. [LAC-DMH Grievance Form DHCS APL 14-014](#)

REFERENCE (HYPERLINKED)

1. [Los Angeles County Chief Executive Office Employee Relations Memorandums of Understanding](#)

AUTHORITY

1. Los Angeles County Code
2. Memoranda of Understanding

RESPONSIBLE PARTY

LAC-DMH Human Resources Bureau