


SUBJECT GRIEVANCE RESOLUTION INTERNAL PROCEDURE (GRIP)	POLICY NUMBER 5.07	
POLICY MAINTENANCE ADMINISTRATOR: Chief, Bureau of Personnel Services		
PURPOSE/SCOPE: To establish policy and procedure for permanent Career Service members to bring work-related concerns to the attention of management and facilitate a fair and expeditious resolution.		

I. AUTHORITY

Section 110.227, Florida Statutes, Suspensions, dismissals, etc.

Governor’s Executive Order 11-03 and Code of Ethics, Effective January 4, 2011

II. DEFINITIONS

- A. Business Day- Any day of the month, excluding Saturday, Sunday and days identified as state holidays in Chapter 110, Florida Statutes.
- B. Calendar Day- Any day of the month, excluding days identified as state holidays in Chapter 110, Florida Statutes.
- C. Filed- When the appropriate representative at either Step 1 or Step 2 actually receives the grievance by hand delivery, fax or email.
- D. Grievance- The dissatisfaction that occurs when a department member believes that any condition affecting the member is unjust, inequitable, a hindrance to effective operation, or creates a problem.
- E. Grievance Meeting- A required meeting held between the aggrieved member and appropriate Step Representative to discuss and attempt resolution of the grievance.
- F. Office of Employee Relations (OER)- The office in the Bureau of Personnel Services responsible for coordinating the Grievance Resolution Internal Procedure (GRIP) process.

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 10/24/1994
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- G. Permanent Status in the Career Service System- Permanent status is attained when a member completes the one year probationary period in their current Career Service classification, within the agency, as defined in Chapter 60L-33.003, FAC.
- H. Report of Grievance Form- Form used to file Step 1 and Step 2 Grievances.
- I. Step Representative- Person responsible for responding to the grievance at the step at which it is filed.
 - 1. Step 1 Representative- The manager with authority to resolve the grievance. The Step 1 Representative for any grievance filed by a member of the Florida Highway Patrol shall be the Troop Commander. In other divisions, the Step 1 Representative shall be at least at the Bureau Chief level or higher.
 - 2. Step 2 Representative- The Chief of Personnel Services is the Step 2 designee for the Executive Director.

III. POLICY

It is beneficial to all parties for work-related concerns to be resolved as quickly as possible. Members are encouraged to discuss any concerns they may have first with the immediate supervisor. If the member is still dissatisfied with the situation after discussion with the supervisor and second level manager, the member may file a written grievance through the DHSMV Grievance Resolution Internal Procedure.

The member must file the written grievance directly with the manager within their division who is authorized to resolve the grievance and who will serve as the Step 1 Representative.

Deadlines for responses may be extended upon mutual agreement of the member and the Step Representative. Such extensions shall be approved by both parties in writing and not unreasonably denied by the grievant.

Members may ask questions about GRIP and discuss the identity of the Step 1 Representative, if uncertain who that should be, by contacting the Office of Employee Relations (OER), Room A420, Kirkman Building, Tallahassee, FL 32399, (850) 617-3202.

The time limitations established in this policy are imposed to ensure quick consideration and response by management to the member. Failure of the Department at Step 1 of this procedure to communicate a written decision to the member within the specified time limit shall permit the member to proceed to Step 2.

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Failure of the member to file the grievance within the specified time limit at Step 1 or Step 2 shall be a waiver of the grievance.

No reprisals will be taken against any member who files a grievance under these provisions. Any member who believes reprisals have occurred will have the right to file a grievance against such reprisals directly at Step 2.

IV. EXCLUSIONS

- A. Claims of discrimination based on race, gender, age, religion, color or any other protected class are not subject to GRIP and must be filed under Department Policy 3.05, Claims of Discrimination to Include Sexual Harassment. Claims related to suspensions, reductions in pay, demotions, involuntary transfers of more than 50 miles by highway and dismissals are not subject to the GRIP.
- B. A member may not use GRIP when the subject of the grievance or the relief requested has been or currently is the subject of another administrative action or appeal before a governmental board or agency or court proceeding.
- C. A member will not have the right to file a grievance about a performance evaluation unless it is alleged that the review is based on factors other than the member's performance.

V. PROCEDURE

A. Step 1 Grievance

1. Member Responsibilities

- a. Career Service members who have attained permanent status in their current classification within this agency may file a grievance with the Step 1 Representative in writing on the Report of Grievance Form stating the condition or situation being grieved and the desired resolution. The grievance must be filed by the member and received by the Step 1 Representative with authority to resolve the grievance within fourteen (14) calendar days following the occurrence of the event giving rise to the grievance.
- b. Should the Step 1 Representative be out of the office and unreachable, the member may deliver the grievance to their Step 1 Representative's supervisor within the fourteen (14) calendar days. Grievances may be faxed or emailed to the appropriate Step Representative; however, the

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member is responsible for assuring that the grievance is received by the Step Representative within the established timeframe.

- c. Step 1 Representatives are responsible for providing copies of the grievance to their Division Director and to the OER. The grievance may be hand delivered to OER in Room A-420 if in the Kirkman Building; or faxed to OER at (850) 617-5109 if not in the Kirkman Building. If a Step 1 Representative does not have access to a fax machine, copies may be scanned and emailed to the OER.

2. Management Responsibilities

- a. Upon receipt of the Step 1 grievance, the Step 1 Representative will discuss the grievance with the chain of command to include their division director and the OER.
- b. The Step 1 Representative will meet with the member in person or by phone to discuss the grievance and will provide a written response to the member within seven (7) business days of receipt of the grievance, unless another timeframe has been agreed upon in writing by the two parties. The Step 1 Representative will make every effort to resolve the grievance.
- c. The Step 1 Representative will fax, email or hand-deliver a copy of the grievance response to the member's division director and to the OER.

B. Step 2 Grievance

1. Member Responsibilities

- a. If the member is dissatisfied with the response of the Step 1 Representative, they may file their grievance with the Chief of Personnel Services as the agency's Step 2 representative who is designated by the Executive Director. The grievance must be filed within seven (7) business days following receipt of the response. This should be done by faxing or emailing a copy of the original Step 1 grievance and response to the OER.
- b. No new issues may be raised when the grievance is filed at Step 2.

2. Management Responsibilities

- a. The Chief of Personnel Services will meet in person or by phone with the member filing a Step 2 grievance within five (5) business days following receipt.
- b. The Chief of Personnel Services will respond in writing to the member filing the grievance within five (5) business days of meeting with the member.
- c. The decision at Step 2 will be final in all grievances filed under this policy.