



# EMPLOYEE COMPLAINTS/ INFORMAL APPEALS

PM-38-03

## Section: 38-00, DISCIPLINE AND APPEALS

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### **I. PURPOSE AND SCOPE**

- A.** In any organization, misunderstandings or conflicts can arise. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. To ensure fair and impartial review of all employee complaints except discharge, the following informal appeal procedures are established for regular, full-time employees who elect this process.
- B.** This option is not extended to temporary, seasonal-temporary, and per-event temporary employees, or to any represented employees who elects to use the grievance procedure of a Memorandum of Understanding. A represented employee is considered to have elected the grievance procedure if a grievance proceeds beyond the level of the employee's immediate and/or designated supervisor.

### **II. INFORMAL APPEAL PROCEDURES**

- A.** An employee who elects to use the informal appeal procedures is required to make their complaint within ten (10) calendar days of the event which causes the complaint or within ten (10) calendar days of their first having knowledge of such event.
- B.** An employee shall first present the complaint within ten (10) calendar days of the event to their immediate and/or designated supervisor, who shall attempt to promptly resolve the complaint. The designated supervisor shall meet with the employee within five (5) working days after receipt of the complaint, and shall inform the employee, in writing, of their decision no later than the 8<sup>th</sup> working day after receipt of the complaint.
- C.** If the employee, after discussion with the designated supervisor, does not accept the supervisor's decision, the employee is entitled to present the complaint to the designated department head. The department head shall meet with the employee within five (5) working days after receipt of the complaint, and shall inform the employee in writing of the decision no later than the 8<sup>th</sup> working day after receipt of the complaint.



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- D. If the employee, after receiving the department head's decision, is not satisfied, the employee is entitled to present the complaint to the employee's Division Director. The Division Director shall meet with the employee within five (5) working days after receipt of the complaint, and shall inform the employee in writing of the decision no later than the 8<sup>th</sup> working day after receipt of the complaint.
- E. If the employee, after discussion with the Division Director, does not accept the Division Director's decision, the employee is entitled to present the complaint to the Director of Human Resources. The Director of Human Resources or his/her designee shall meet with the employee within five (5) working days after receipt of the complaint, and shall inform the employee in writing of their decision no later than the 8<sup>th</sup> working day after receipt of the complaint.
- F. If the employee, after discussion with the Director of Human Resources, does not accept the decision, the employee is entitled to present the complaint to the Chief Administrative Officer for review. The Chief Administrative Officer shall make such investigation as deemed necessary for an appropriate decision within eight (8) working days after receipt of the complaint. The decision of the Chief Administrator Officer shall be final and binding.

**Note:** The City of Memphis shall not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be constructed, however, as preventing, limiting, or delaying the City from taking disciplinary action against any employee, up to and including termination, in circumstances where the City of Memphis pursuant to its disciplinary policies deems disciplinary action is appropriate.

### **REFERENCE CORRESPONDING POLICES:**

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