

**PERSONNEL POLICIES AND GUIDELINES  
CITY OF CLAY CENTER, KANSAS**

**ARTICLE H. GRIEVANCES AND HEARINGS**

**H-1. General Policy.** Any Employee has the right to present a complaint or grievance concerning his or her job, working conditions, salary, relationship between employees and co-workers, Supervisor or Department Head, the application of equal employment opportunity policies, or as an appeal of any disciplinary action taken pursuant to these policies. A sincere attempt should be made by each Employee and Supervisor to resolve any grievance before it becomes necessary to resort to the grievance procedure.

**H-2. Grievance Procedure.** The following grievance procedure is established:

- (a) Any complaint or grievance shall initially be filed by the Employee with his or her Supervisor. An answer to the grievance shall be provided by the Supervisor to the Employee, in writing, within seven calendar days. If the Employee disagrees with the decision of the Supervisor, the Employee may forward the complaint or grievance, in writing, to his or her Department Head, who shall provide an answer to the Employee within seven calendar days.
- (b) If the complaint or grievance cannot be satisfied by the Department Head, the Employee may forward his or her written complaint or grievance to the Mayor and Committee, and finally the Governing Body, specifying the nature of the complaint or grievance, provided he or she has informed the Department Head of his or her intentions to do so, and request a hearing thereon.

**H-3. Hearing Procedure.** The Governing Body may conduct hearings in accordance with the following procedures:

- (a) The hearing shall be held within 30 calendar days from receipt of the Employee's request for such a hearing.
- (b) At the hearing, all concerned parties shall be given an opportunity to present their respective side of the grievance together with any pertinent evidence or witnesses as deemed relevant by the Governing Body. All parties shall have the right to cross-examine adverse witnesses and evidence.
- (c) All parties shall be allowed the right to have legal counsel present.
- (d) The Governing Body may call for additional evidence as it deems proper.
- (e) The Governing Body shall not be bound by any legal policies of evidence.
- (f) No City Employee, serving as a witness, shall be subject to any restraint, interference, discrimination or reprisal for any of his or her testimony in such hearing.
- (g) The Governing Body shall render a decision, in writing, within five business days of the hearing's conclusion and such decision shall be supported by the evidence. A copy of the finding shall be provided to the Employee and the Department Head and filed in the Employee's personnel file.
- (h) The hearing shall not be open to the public unless the Employee and City both agree, in writing, to a public hearing.