

LEGACY HEALTH

ADMINISTRATIVE

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SECTION: HUMAN RESOURCES
TITLE: RESOLUTION OF PROBLEMS AND GRIEVANCES

PURPOSE

The purpose of this policy is to provide Legacy Health employees with an accessible and timely means for resolving work related problems and grievances.

POLICY

It is the policy of Legacy Health to provide effective processes by which an employee may seek resolution of a work related problem. Legacy Health will attempt to promptly resolve all problems or grievances that are under the jurisdiction of this policy.

Legacy Health provides two sequential methods for resolution of problems. The first is the problem resolution process, which is available to all employees and which is intended to provide a flexible, informal approach for resolving most employee issues. The second is the formal grievance process, which provides a more structured method for review and resolution of specific issues. Filing of a formal grievance normally occurs after problem resolution activities have been attempted. Employees may decide to begin the resolution process by filing a formal grievance.

A. PROBLEM RESOLUTION PROCESS

1. The problem resolution process is intended to provide a framework for the resolution of most work related concerns through facilitated discussion and other problem solving activities, with the assistance of Human Resources. In most cases, early resolution of problems or grievances can be accomplished through a problem solving process involving the employee, Human Resources, and the employee's immediate supervisor/manager or other appropriate persons. Therefore, an employee who has a work related problem should first contact his/her manager or Human Resources to initiate the problem resolution process. In order to facilitate prompt resolution of issues, the employee should initiate the problem resolution process within 21 calendar days of the date the problem or incident arose.
2. An Employee Relations Consultant will meet with the employee to discuss the problem and the resolution sought. The Employee Relations Consultant may then arrange for a meeting with the employee and the supervisor/manager and/or other appropriate persons to assist in resolving the problem. The Employee Relations Consultant shall facilitate this meeting and may serve as a resource for other problem resolution actions that may be appropriate to address the problem.

3. The employee will be given a response to the issue presented, usually within 10 calendar days after the conclusion of the problem resolution activities. If the problem cannot be resolved through the problem resolution process, the manager and/or Human Resources may suggest other resources to help resolve the problem.

B. FORMAL GRIEVANCE PROCESS

1. The formal grievance process is designed to provide a structured process for addressing specific issues involving the application or interpretation of a Legacy Health policy, practice or rule pertaining to the employee's employment or working conditions. In keeping with the purpose of this policy, Legacy Health may determine that some matters are not appropriate for resolution through the formal grievance process. In those instances, other means to resolve the problem may be used as appropriate. For example, listed below are some types of issues that are not appropriate for resolution through the formal grievance process and for which there are other Legacy Health processes available to address the issues.

<u>Type of Issue</u>	<u>Resolution Available</u>
Complaints of harassment or discrimination	These should be reported to Human Resources as provided in Policy 500.504 - Harassment
Reductions in force	Refer to Policy 500.819 – Employee Transition
Compensation or classification of a position	Questions or concerns regarding compensation should be addressed to Legacy's Compensation department
Benefits or benefit plan administration	Contact Legacy's Benefits department for information on appeal rights and procedures under Legacy benefit plans

2. An employee may initiate the formal grievance process if the problem resolution process (as described in section A) is not successful in resolving the problem. An employee is not required to use the problem resolution process before initiating a formal grievance. An employee who wishes to initiate the formal grievance process must do so within 10 calendar days of the completion of the problem resolution process. The grievance process will generally follow the steps below. Resolution may be reached at any step, making it unnecessary to go through all of the steps outlined.
3. The grievance process is available to any non-management employee who has successfully completed his/her introductory period, except employees covered under a collective bargaining agreement. Union employees should use the process provided in the applicable collective bargaining agreement.

4. Step One – Manager Review

- a. To initiate a formal grievance, an employee must complete and sign a "Request for Problem/Grievance Resolution" form. The employee should provide a description of

the problem, including reference to the policy or procedure at issue, what steps have been taken to resolve the issue, and the specific resolution the employee seeks.

- b. The employee should submit a copy of the grievance form to his/her department manager, and forward a copy to Human Resources.
- c. The department manager will investigate the grievance with the assistance of the Employee Relations Consultant. The manager may also meet with the employee to discuss the issue and the requested resolution. An Employee Relations Consultant shall facilitate the meeting. The department manager will make every effort to respond to the employee in writing within 15 calendar days after submission of the grievance.

Grievances of termination shall be directly referred to the Special Procedure below.

5. Step Two - Director Review

- a. If the employee is not satisfied with the outcome of Step One, the employee may appeal to the next level of leadership, typically the Department Director. To do so, the employee must submit written notice stating the reason for his/her dissatisfaction with the initial decision to the Director within five calendar days of the employee's receipt of the decision in Step One, with a copy to the designated Employee Relations Consultant.
- b. The Director, in consultation with Employee Relations, shall conduct a thorough review of the information developed in Step One relating to the grievance and may conduct additional investigation and/or meet with the employee (with the Employee Relations Consultant as facilitator) to discuss the grievance.
- c. The Director shall issue a written response to the grievance, generally within 15 calendar days after receipt of the grievance.

6. Step Three – Vice President Review

- a. If the employee is not satisfied with the outcome of Step Two, the employee may appeal to the next level of leadership, typically the Division Vice President or Hospital President. The employee must submit written notice stating the reason for his/her dissatisfaction with the Step Two decision to the Vice President or Chief Administrative Officer within five calendar days of the employee's receipt of the decision in Step Two, with a copy to the designated Employee Relations Consultant.
- b. The Vice President or Hospital President, in consultation with Employee Relations, shall conduct a thorough review of the information developed in Steps One and Two relating to the grievance and may conduct additional investigation and/or meet with the employee (with the Employee Relations Consultant as facilitator) to discuss the grievance.
- c. The Vice President or Hospital President shall issue a written response to the grievance, generally within 15 calendar days after receipt of the grievance. The decision of the Vice President or Hospital President shall be the final decision with regard to the grievance.

Special Procedure

- a) If a staff member's employment with Legacy has ended and he or she wishes to raise a grievance, they may choose to follow the Special Procedure, provided that their employment with Legacy has ended within the preceding three months.
- b) Under the Special Procedure, the member of staff should state their grievance in writing and send it their Director with a copy to the Manager of Employee Relations. The employee may complete and sign a "Request for Problem/Grievance Resolution" form. The employee should provide a description of the problem, what steps were taken to resolve the issue, copies of relevant papers in support of the grievance, and the specific resolution the employee seeks.
- c) Upon receipt of the grievance, the Manager of Employee Relations will designate an Employee Relations Consultant to the grievance and communicate with area Director.
- d) After Legacy has had an opportunity to consider the grievance, and the information provided within it, the employee will be provided with a written response within a reasonable period. This will conclude the process under the Special Procedure.

C. GENERAL PROVISIONS

- 1. All persons participating in the problem resolution and/or grievance processes shall attempt to minimize disruption of normal work responsibilities. To the extent possible, information relating to a problem or grievance should be kept confidential.
- 2. An employee who initiates the problem resolution/grievance process or who participates in the process will not be subject to intimidation, harassment or retaliation as a result of using or participating in this process.
- 3. In order to resolve a problem or grievance, Legacy Health representatives may need to investigate and obtain information relating to the problem at issue. The employee must cooperate in any investigation in order for the problem resolution/grievance process to continue.
- 4. If an employee wishes to remain anonymous, it may not be possible to take any action against the person causing offense. It may, however, be possible to address a complaint through indirect methods, such as training initiatives and drawing awareness and attention to this policy.
- 5. Time periods contained in this policy may be waived if all parties agree or if it is in the best interest of the process to do so.
- 6. The Human Resources Department shall serve as a resource to facilitate the problem resolution and grievance processes, and may provide guidance and information on the proper use of the grievance process.
- 7. Decisions reached under this policy shall be individual to the situation and are not precedent setting or binding on future problems or grievances.

8. Outside representatives or family members are not permitted to participate in meetings or other steps provided for in this policy.

Replaces: LHS.500.505, 3/98

Approval: Human Resources Leadership
Executive Council

Originator: Human Resources Leadership

ATTACHMENT**REQUEST FOR PROBLEM/GRIEVANCE RESOLUTION**

Employee Name _____

Job Title _____

Department _____ Shift _____

Work Phone _____ Home Phone _____

Supervisor _____ Phone _____

Department Manager _____ Phone _____

Statement of Problem/Grievance

In preparing your grievance please include the following: A) Description of problem, B) What steps you have taken to try to resolve the problem, C) What resolution you are seeking. Please include dates of events and any other supporting documentation, which may include names of individuals who may have knowledge of the problem or grievance.

A) Description of Problem _____

B) What Steps You Have Taken To Resolve the Problem _____

C) What Resolution You Are Seeking _____

Date _____ Signature _____