

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 09/09/2020	Supersedes Policy Dated: 07/01/2015	Rescinds:	SOG Number: 204.3
Accreditation Index: 22.4.1			
Part Title: Personnel	Chapter Title: Compensation, Benefits & Working Conditions		
Chief of Police:			

Grievance System

I Policy

The Springfield Police Department recognizes the legitimate need for a structured process for reviewing employee grievances. Employees must have the means to bring to the attention of management issues of concern. Properly conducted, the resolution of grievances can result in improved employee morale and greater job satisfaction. It is the policy of the Springfield Police Department to resolve grievances at the lowest organizational level possible and to always comply with the grievance processing requirements of Merit Rule or the current Collective Bargaining Agreement between the City of Springfield and the Springfield Police Officers Association (SPOA), whichever is applicable.

II Definitions

Grievance - any issue which results in an employee feeling dissatisfied or annoyed with some aspect of their work over which they have no control (Merit Rule 13.5.-a). (CALEA 22.4.1(a))

III Procedure

1 MEMBERS OF THE SPOA BARGAINING UNIT (CALEA 22.4.1(b))

- 1.1 Grievance procedures for employees who are members of the SPOA Bargaining Unit will be governed by Article 16 and Article 17 of the Collective Bargaining Agreement. The Collective Bargaining Agreement is available in PowerDMS.¹

2 OTHER POLICE DEPARTMENT EMPLOYEES

¹ Section 1.1, changed location of CBA to PowerDMS, per Policy Change Order 20-012.

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- 2.1 Initiation and Presentation of the Grievance (CALEA 22.4.1(b))
 - 2.1.1 An employee with a grievance should discuss the issue first with their immediate supervisor. This presentation may be formal or informal. (CALEA 22.4.1(d))
 - 2.1.1(a) Whenever the employee is aggrieved by some act of commission or omission on the part of their immediate supervisor, they may initiate the action authorized by this procedure by explaining the grievance to the immediate supervisor of the said supervisor or may initiate the action authorized by forwarding the appeal form to the immediate supervisor of said supervisor. {Merit Rule 13.5(b)(8)}
 - 2.1.2 The aggrieved employee should present the facts of the case as clearly and as objectively as possible. (CALEA 22.4.1(d))
 - 2.1.3 Grievance discussions shall be conducted in a professional and courteous manner at all times.
 - 2.1.3(a) The supervisor shall calmly and actively listen to the employee with a willing attitude to resolve the complaint, if possible.
 - 2.1.3(b) The complaint shall receive prompt, objective, and thorough consideration.
 - 2.1.4 Employees are free to ask questions or to seek resolution of the complaint without discrimination, coercion, restraint, or reprisal.
 - 2.1.4(a) Supervisors or commanders who seek reprisal as a result of a grievance lodged by an employee may receive severe disciplinary action.
 - 2.1.5 If an employee wishes, they may be accompanied by another employee during the meeting. (CALEA 22.4.1(f))
 - 2.1.6 Whenever possible, grievance hearings should be conducted during the regularly scheduled working hours of the persons involved.
 - 2.1.7 Every effort should be made to try to resolve the grievance at the lowest supervisory level.
 - 2.1.7(a) Any step in the grievance process may be the last and the complaint considered settled if all involved parties are satisfied.
- 2.2 GRIEVANCE PROCESS AND TIMETABLE (CALEA 22.4.1(b, c, & e))
 - 2.2.1 The immediate supervisor, upon hearing the grievance, either alone or with the assistance of superiors, shall reach a decision and shall communicate that decision to the aggrieved employee within two working days.
 - 2.2.2 If the employee remains unsatisfied, they shall have three working days to write an appeal, setting forth the facts of the case and citing appropriate Merit Rule provisions impacting on the case. Within that time period, the employee shall submit the written appeal to the Chief of Police. (CALEA 22.4.1(d))
 - 2.2.3 Upon receipt of the appeal, the Chief of Police shall obtain all pertinent information and may hold conference with all involved parties.

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- 2.2.3(a) Within three working days of receiving the written appeal, the Chief of Police shall notify the employee and the supervisor of the decision in writing.
- 2.2.4 If the appeal to the Chief of Police does not satisfy the aggrieved employee, they may request appeal to the City Manager. Such request shall be filed with the Director of Human Resources.
 - 2.2.4(a) The Director of Human Resources shall assemble the facts of the case.
 - 2.2.4(b) The City Manager may conduct a conference with the involved persons to hear statements and to ask questions.
 - 2.2.4(c) Within five working days following receipt of the appeal, the City Manager shall present the decision in writing to the Chief of Police and the employee.
- 2.2.5 Upon completion of the appeal process, the Chief of Police or designee shall provide a copy of the grievance and associated documentation to the IIAU Supervisor.
- 2.3 **CONTENT OF THE CASE PACKAGE (CALEA 22.4.1(d))**

The written appeal document shall contain at a minimum:

 - 2.3.1 Date, time, and location of the incident, if appropriate.
 - 2.3.2 Names of all persons involved;
 - 2.3.3 Names of witnesses (if non-employees, include addresses and telephone numbers);
 - 2.3.4 A chronological, detailed description of the incident(s)
 - 2.3.4(a) A written allegation of the wrongful action taken or harm committed;
 - 2.3.5 Supporting documentation, if available;
 - 2.3.6 Reference to the appropriate Merit Rule provision which impacts on the source of the grievance;
 - 2.3.7 A written statement describing the remedy or adjustment sought by the aggrieved employee;
- 2.4 **COORDINATION OF THE GRIEVANCE SYSTEM**
 - 2.4.1 The Inspections and Internal Affairs Unit Supervisor shall have the responsibility to coordinate summary information on all grievances presented to the Chief of Police, including those grievances submitted directly to the Director of Human Resources and later presented to the Chief of Police for a response.
 - 2.4.2 The Inspections and Internal Affairs Unit Supervisor shall annually tabulate and analyze grievance data. This analysis shall be included in a written report to the Chief of Police and shall be used to identify issues or patterns of behavior which, if addressed, may reduce the number of grievances in the future.
 - 2.4.3 The Chief of Police shall ensure that the Inspections and Internal Affairs Unit receives all information necessary to comply with 4.1 above.
 - 2.4.4 All grievance records, data, and written appeals shall be physically secured in a locked file and a locked office after duty hours.

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- 2.4.4(a) If such information is stored on computer, the access must be controlled by password and system account identification.
 - 2.4.4(b) Grievance records are considered to be personnel records, closed under Ch. 610, RSMo. Access to grievance records, statements or other file material is restricted to employees who are named as principals in the recorded grievance, Inspections and Internal Affairs Staff, and the Chief of Police.
- 2.5 APPEAL TO THE PERSONNEL BOARD (CALEA 22.4.1(b))
- 2.5.1 The Personnel Board hears only cases which involve dismissal, demotion, reduction in pay, or suspension. (Merit Rule 13.6-a)
 - 2.5.2 Refer to Merit Rule 13.6 for further details on the Personnel Board hearing process.
 - 2.5.3 Appeals presented directly to the Personnel Board will not be included in the annual analysis of grievances by the IIAU Supervisor.

IV Attachments