

DAYTON POLICE DEPARTMENT  
GENERAL ORDER  
GRIEVANCES

RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE

REV. 9/14

**POLICY STATEMENT**

One important element of a sound personnel system is the existence of a formal method for allowing employees to fairly and expeditiously resolve their grievances with management.

**I. GRIEVANCE PROCEDURE**

A grievance is a complaint that Management has violated a provision of a labor agreement, served an unjust reprimand or transferred an employee unjustly or capriciously. In accordance with the three labor agreements with the City of Dayton, the following shall make up the grievance procedure for the Dayton Police Department.

- A. Employees having a grievance shall first make such grievance known to their immediate supervisor.
- B. If the grievance cannot be resolved on an informal basis, it shall be reduced to writing and filed with their immediate supervisor. The employee must follow the steps and time limits provided in their labor agreement.
- C. An employee may elect to be represented at grievance hearings by a grievance representative of their choosing.
- D. Grievance Hearings are the ONLY hearings where employees are allowed to make a record of the proceedings (i.e., tape recording, court stenographer).

**II. GRIEVANCE PROCEDURE REQUIREMENTS**

The following information will be included in any formal grievance:

- A. A statement of the grievance and the facts upon which it is based
- B. The complaint that Management has violated the Collective Bargaining Agreement
- C. What harm was done by Management
- D. The remedy or adjustment sought
- E. The signature of the grievant and the date of submission.

**III. GRIEVANCE PROCEDURE RESPONSES**

All grievance responses will be in the form of a Special Report and include the following:

- A. Acknowledging receipt by noting time, date and person receiving the grievance
- B. Analyzing the facts or allegations
- C. Affirming or denying, in writing, the allegations in the grievance
- D. Identifying the remedy or adjustments, if any, to be made
- E. For additional information, refer to the current labor agreement contract.

**IV. GRIEVANCE PROCEDURE APPEALS**

Grievance appeals should follow the chain of command as outlined in the current labor agreement contracts, except in cases involving performance evaluation (Article 12 of the F.O.P. Contract). Arbitration is the final step in the grievance procedure.

**V. AFFIRMATION OF GRIEVANCES BY SUPERVISORS**

If a supervisor intends to affirm a grievance, thereby overruling a previous management decision, the supervisor must submit a Special Report containing the recommendation(s) and rationale through the chain of command to the Chief of Police for approval. The submission of the Special Report must occur in a timely manner as labor contracts require that sworn employees receive a response to their grievance within (14) calendar days and civilian employees within (10) work days. Further guidance may be obtained from the Department Advocate.



**VI. GRIEVANCE RECORDS**

The Dayton Police Department Advocate is the department records custodian for all grievance records. They are charged with the maintenance and control of grievance records and files. Through annual analysis of the agency's records, the Department Advocate may notice a trend in filed grievances, at which time they will make the Chief of Police aware of the fact. Steps will then be taken to minimize the causes of such grievances in the future.

**VII. GRIEVANCE DISTRIBUTION**

Once a grievance is either settled or denied, the response will be returned in the following manner:

- A. One copy to the employee;
- B. One copy to the Department Advocate;
- C. One copy to the Fraternal Order of Police grievance representative and/or their attorney.