

## TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 6.10

### DISPUTE RESOLUTION

It is the policy of the Trumbull County Board of DD to ensure that employees' questions and complaints arising from misunderstandings and the application of policies, procedures and work rules that will inevitably develop in the day-to-day activities of public service, are to be promptly heard, answered and action taken to resolve or clarify the particular situation.

All employees shall have the right to file for dispute resolution without prejudice. No employee shall be disciplined, harassed or treated unfairly in any manner as a result of filing for dispute resolution or testifying in a dispute resolution hearing.

For the purposes of this policy, a dispute is defined as a disagreement between an employee and management as to the interpretation or application of official Agency policies, state civil service laws, agency rules and regulations, or other disagreements perceived to be unfair or inequitable. This policy specifically excludes disputes concerning discipline. Dispute resolution for discipline is governed by law for management employees.

#### **Election of Remedy:**

Nothing in this policy is intended to deny employees any rights available at law to have redress to their legal rights, including the right to appeal to the State Personnel Board of Review where that body has jurisdiction, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or any court of competent jurisdiction. However, if the employee elects to file a dispute resolution on a matter over which another appeals body has jurisdiction, it is the employee's responsibility to meet the criteria for filing with that appeals body. The filing of an internal dispute resolution may not affect required filing deadlines.

#### **Settlement:**

Disputes are to be settled at the earliest possible step of the procedure. The employee must proceed through all steps of the dispute resolution in proper order and within the prescribed time limits, except as otherwise noted.

#### **Group Disputes:**

Where a group of employees desire to file for dispute resolution involving a situation affecting each employee in the same manner, one employee selected by such group will process the dispute.

#### **Exceptions to Procedure:**

Where a dispute cites issues of law which the respondent (individual hearing the dispute) cannot address, the dispute shall be forwarded to the Board's legal counsel or the Prosecuting Attorney's office at the discretion of, and by the Superintendent for an

opinion before proceeding. All time limits set forth in this procedure shall be in abeyance until a response from the Prosecutor is received.

**Waiver of Time Limits:**

Time limits as set forth in the procedure may be extended by mutual agreement of the parties in writing.

**Forms:**

All disputes filed under this departmental procedure shall be in writing and shall state the nature of the dispute, the expected resolution, and the facts which affect the conditions of the dispute.

**Definition of Working Days:**

For the purpose of counting time under the procedure, "working days" as used in this procedure will not include Saturday's, Sunday's, or holidays.

**Health and Safety Disputes:**

Disputes relating issues of health and/or safety shall be expedited through the steps of the procedure.

Adopted: 6/24/85  
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5/26/98  
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