

TRURO FIRE RESCUE

RULES & REGULATIONS

R&R #9 GRIEVANCES **EFFECTIVE 12-15-99**

9.0 GRIEVANCES:

9.1 Within the Truro Fire Department, the work grievance connotes that of an unsatisfactory working condition. It is an expression of dissatisfaction with some part of the job that the member can't control. A grievance grows out of a member's feeling of being treated harshly or unfairly by the Department, by a fellow employee(s), or by a superior officer(s). Members of this Department have a right to voice grievances and are free to tell the appropriate officers about their complaint. Indeed, members are encouraged to do so.

If members think they have been wronged, frustrations should be expressed in the form of grievances. When members have actually been wronged, there is a real grievance. Such grievances are usually easy to resolve because the facts are clear and an appropriate change or adjustment can be made.

Members can also have complaints, which may grow out of misunderstandings, rumors, or wrong information. Members have a responsibility to make sure that what they believe to be correct is indeed correct, and should approach those who are central to the problem in order to clarify the facts. In most cases, giving the member straight information will take care of such a matter. In others, the real issue behind the complaint must be identified. In all cases, good communication on the issued between member and officer is absolutely necessary to resolve such problems.

9.2 Grievances are inappropriate on management issues. For example, The Fire Chief has the right to determine the following examples:

9.2.1 The organizational structure to be utilized which includes the duties, size and responsibilities of the Department.

9.2.2 Direct work to be performed.

9.2.3 Determine methods and procedures with respect to the work to be performed.

9.2.4 Determine apparatus, tools and equipment to be used including the maintaining quality and quantity of the aforementioned.

9.2.5 Determine how the monies available are to be expended.

9.2.6 Establish Rules, Regulations, General Orders, SOPs, and the like.

9.2.7 Hire, promote, transfer and assign personnel without interference.

9.2.8 Maintain discipline within the Department.

9.2.9 Members are encouraged to make constructive suggestions on the above issued and officers should always listen attentively, but a grievance may not be filed.

9.3 Grievances by members are appropriate in the following examples.

- 9.3.1 When the right of recognition of an individual's dignity and right to receive fair equitable treatment are lost.
- 9.3.2 When they feel an action by the board of Fire Engineers and/or a superior officer is in violation of their dignity.
- 9.3.3 Disciplinary action that is unfair.
- 9.3.4 Favoritism in the assignment of jobs.
- 9.3.5 When safety does not meet industry standards.
- 9.3.6 Poor or unsafe physical conditions at the station.
- 9.3.7 A Rule, Regulation or the like that is deemed unfair, impractical or unworkable.
- 9.3.8 A privilege that is not granted.

9.4 Grievance Procedure

It is the policy of the Department to make available to employees a formal hearing concerning their grievances. In availing themselves of the grievance procedure, members are assured of freedom from restraint, interference, harassment, discrimination, or reprisals. The following grievance procedure will be adhered to and supported by all levels of the Department because all levels believe the grievance system is important and are committed to making it work.

- 9.4.1 Step One-Gripes, complaints and grievances should first be taken to the member's superior officer.
 - a. The Fire Chief
 - b. If the gripe, complaint or grievance pertains to the Fire Chief, then to the Board of Fire Engineers. Hopefully most problems will be resolved at level (a.).
- 9.4.2 Step Two-*If within twenty days* after discussing the grievance with either the Fire Chief, or the matter is unresolved or if instructed by the Fire Chief, the member may submit a written grievance to the board of Fire Engineers. The written grievance should contain all pertinent information relative to the grievance and indicate the relief desired. The board of Fire Engineers is required to review the grievance at the next scheduled Board of Engineers meeting and provide a written answer, to the member who brought forth the grievance within fifteen days after the meeting, unless the time limit is extended by written agreement by all parties.

Exceptions:

- a. When the board of Fire Engineers deems that a formal hearing with all involved parties present is required to gain all pertinent information and/or to resolve the matter.
- b. When such a formal hearing is scheduled, failure of a party directed to attend said hearing and does not attend, could be prejudicial against said party.
- c. The Board of Fire Engineers will try to accommodate the parties involved when scheduling of such meetings, but it will be the responsibility of the parties involved to be present once the hearing is scheduled by the Board of Fire Engineers.

Note: Members may request that hearings be in executive or open sessions when brought before the board. At a hearing, either party may call witnesses and employees may have counsel or another representative of their choosing present.