LOUISIANA HOUSING CORPORATION		
Policy Number 29	**Policy Name** Grievance Procedure	**Original Effective Date** July 1, 2012
Issuing Department Human Resources	**Revision Dates** March 8, 2022; October 17, 2022	
Contact Human Resources	**Signature**	
Appointing Authority Joshua G. Hollins, Executive Director	**Signature**	

I. Objective

In public and private organizations, employment conditions, practices, and decisions create dissatisfaction and misunderstanding among employees. By affording employees an effective procedure for expressing their concerns, employee morale and productivity will increase. Additionally, the free expression of employee concern allows management to review and modify practices, policies, and workplace decisions.

II. Applicability

This policy shall apply to all employees of Louisiana Housing Corporation (LHC), regardless of status or position. This policy does not apply to all concerns, incidents, or actions occurring within the workplace, certain of which must be appealed directly to the State Civil Service Commission or the Director of the Department of State Civil Service. Employees are encouraged to contact Human Resources to resolve any uncertainty about the procedure to be used or for assistance in processing a grievance.

III. Policy

It shall be the policy of the Louisiana Housing Corporation to have an equitable grievance system. Employee grievances earliest possible opportunity after concerns are recognized. To resolve issues, each employee at the LHC shall have access to the grievance procedure, without fear of reprisal.

IV. Definitions

A. **Grievance:**
The term "grievance" shall mean any claim or allegation by any employee or group of employees, hereinafter referred to as "grievant." Grievances occur in the instances listed below.

- An employee has been treated unfairly, inequitably, or in a manner that is arbitrary, capricious, unjust, unreasonable, or discriminatory.

- There is a violation of the implementation, enforcement, administration, application, and/or interpretation of any applicable law, rule, regulation, administrative directive, policy, or practice of the agency or its agent(s).

- There exists a condition, situation, or circumstance jeopardizing the health or safety of any employee or adversely affecting any such person's welfare and interest.

B. **Key Components:**

Two (2) key components in forming a grievance are the Grievance Statement and the Relief Sought Statement.

a) Grievance Statement: a description of the situation, incident, or action that caused the employee(s) to be aggrieved (what is the issue?). This should include all pertinent information and a list of any witnesses.

b) Relief Sought Statement: there has to be a relief sought in a grievance – what does the employee seek as a result of the grievance. This should include the actions that need to happen to resolve the issue.

V. General Provisions of the Grievance Procedure

In any organization, it may be expected that conditions leading to dissatisfaction and misunderstanding may arise among employees. Every effort will be made to afford all employees a means to resolve grievances. Discussing concerns openly between employees and supervisors through the utilization of a grievance procedure may serve as a basis for review and change of policies and procedures.

The Human Resources Director is available to consult with employees freely and informally and assist them in adequately presenting their grievances.

A. Although encouraged, the decision to utilize this grievance procedure shall be the voluntary decision of the individual employee.

B. Nothing herein shall be construed as depriving a classified employee of the right to appeal to the Director of Civil Service or the Civil Service Commission in appropriate cases or to alter or extend the time within which an appeal is required to be filed with the Civil Service Commission, or to alter in any way Civil Service Rules.

C. If a grievance hearing is conducted under this procedure, the party against whom the grievance complaint is made shall have the right to appear and testify at the hearing.

D. The grievant shall be given notice at least five (5) calendar days in advance of the hearing unless the grievant waives this.

E. The Executive Director's decision shall be final in all cases subject to this grievance procedure.

VI. Non-Grievable Issues

This grievance procedure does not apply to those actions directly appealable to the State Civil Service Commission or the Director of the Department of State Civil Service. Employees should review Chapters 10 and 13 of the Civil Service Rules to determine those actions that are appealable directly to the Civil Service. In general non-grievable issues include:

- An allocation or reallocation decision
- The rejection of an application
- A determination that an applicant lacks the minimum qualifications
- A Reviewer's decision concerning a PES given to a permanent employee (must be handled through Civil Service Rules Chapter 10)
- A suspension without pay, reduction in pay, involuntary demotion, or dismissal of a permanent employee
- A non-disciplinary removal of a permanent employee
- An employment action/decision that discriminates against an employee because of their political or religious beliefs, sex, or race
- A layoff of a permanent employee

- An employment action/decision that violates a Civil Service Rule other than a rule in Chapter 10 or the Civil Service Article (Article X, Part 1 of the state constitution)

Additionally, complaints about letters of warning, reprimand, or counseling are handled by written response and not through the grievance process.

The filing of a grievance does not extend the time within which an appeal must be filed with the Commission or Director of Civil Service.

VII. Grievance Procedure

The Human Resources Director (or designee) is responsible for administering the grievance procedure and maintaining all grievance records. Therefore, at each Step of the process, the grievant and reviewing official are required to consult the Human Resources Director.

The grievance procedure consists of an informal meeting with the supervisor, followed by three formal written steps, if necessary. If the grievance is against the grievant's direct supervisor or person in the grievant's chain of command, the grievant may skip the grievance step that would directly involve that individual and may proceed to the next Step.

Step 1

All grievances should be presented within seven (7) calendar days from the date the grievant first became aware of, or should have become aware of, the cause of such a grievance. The grievant should include the key components and support documentation to the form. Ensure to succinctly set forth all concerns, as the Grievance Statement may not be revised nor expanded upon during the grievance process.

In collaboration with the Human Resources Director, the immediate supervisor will review the information provided, afford the grievant an opportunity to present their concern and render a written decision within (7) calendar days of receipt of the grievance.

Step 2

If the grievant is not satisfied with the Step 1 response or if the decision is not rendered within the prescribed time limit, the grievant should check the appropriate box on the grievance form and, within seven (7) calendar days, present their grievance in writing to the department head of their section. The grievant must also submit a copy of the form to Human Resources.

The department head must investigate and afford the grievant an opportunity to present their viewpoint. The department head must furnish the grievant with a written statement of their finding and recommendations within 14 calendar days of receipt of the Step 2 grievance.

Step 3

If the grievant is not satisfied with the Step 2 response or if the decision is not rendered within the prescribed time limit, the grievant should check the appropriate box on the grievance form and, within seven (7) calendar days, present their grievance in writing to the Executive Director. The grievant must also submit a copy of the form to Human Resources.

The Executive Director may conduct a hearing or investigate as necessary. The Executive Director shall issue a written decision notifying all applicable parties within 21 calendar days following the date the grievance entered the final Step.

A Step in the grievance procedure may be bypassed if the grievance concerns actions by the grievant's immediate supervisor or the Department Head. Similarly, a Step in the grievance procedure may be bypassed if the relief sought cannot be granted at Step 1 or Step 2 level. Additionally, grievances by the same employee or on the same issue(s) may be consolidated for review.

VIII. Summary Disposition of a Grievance

At any time after the filing of a written grievance, the Executive Director may dismiss the grievance on any of the following grounds:

- The action is appealable to the Director of Civil Service or the Civil Service Commission.

- The grievant does not work for the agency.
- The person against the grievance is filed does not work for the agency.
- The grievance has not been made in the required manner or within the prescribed period.
- A decision on the grievance would be ineffective or moot.
- The remedy requested cannot be granted.
- The grievance is determined to be frivolous.
- The grievance is being used to impede the efficient operation of the agency.
- The grievant did not appear for the grievance hearing.
- The grievant has withdrawn or abandoned the grievance.

When an Executive Director dismisses a grievance, the grievant and all applicable parties shall be notified in writing.

IX. Retention of Grievance Documents

Grievance documents shall be maintained in the Human Resources department in accordance with LHC Human Resources retention guidelines.

X. Retaliation

LHC prohibits retaliation or reprisal towards any employee who has made a good faith grievance in compliance with this policy. Retaliation towards an employee for filing or participating in a grievance is strictly prohibited. Those found retaliating as a result of the grievance shall be subject to the violation provisions below.

XI. Violations

LHC considers the grievance process to be invaluable means by which employees are free to express their concerns and seek redress regarding workplace decisions and conditions. To facilitate and maintain the integrity of the grievance process, any employee found, after investigation, to have engaged in the following behavior will be subject to corrective action, up to and including termination, as authorized by Civil Service Rules:

- Harasses, discriminates or retaliates against any employee who files a grievance or participates in the grievance process;

- Uses his/her position to influence the grievance process or anyone involved therewith; or
- Misuse or abuse of the grievance procedure, including the filing of frivolous grievances.

XII. Questions

Questions regarding this policy should be directed to Human Resources.