

#### **Sec. 4.865. Grievance Procedure for Recognized Employee Organizations.**

a. The management representative principally responsible for meeting and conferring with a recognized employee organization shall meet and confer with the representatives of such employee organization to develop a grievance procedure for employees in the representation unit, to be incorporated into any memorandum of understanding reached by the parties. Such grievance procedure shall apply to all grievances, as defined in Section 4.801 of this Code, shall provide for arbitration of all grievances not resolved in the grievance procedure, and shall conform to the following standards:

(1) Provision shall be made for discussion of the grievance first with the employee's immediate supervisor on an informal basis;

(2) Provision shall be made for the filing of a formal grievance in writing, and for the processing of the unresolved grievance through not more than four, nor less than two, levels of review with written notice of the results of each such review to the employee and to his representative, if any;

(3) An employee may be represented by a representative of the employee's choice in the informal discussion with the employee's immediate supervisor, in all formal review levels, and in arbitration; provided, however, that such representative may not be an employee or officer of another qualified organization except with the written consent of the organization granted exclusive representation.

(4) If the grievance is not resolved in the grievance procedure either party may submit the grievance to arbitration by written notice to the other party of its desire to arbitrate. Following such notice the parties shall meet for the purpose of selecting an arbitrator from a list of seven arbitrators to be furnished to the parties by the Board. In selecting the arbitrator from said list, the parties shall alternately strike names from the list until one name remains. The arbitrator remaining shall hear the case. In the event he is unable to hear the case, the parties shall obtain a new list of seven arbitrators and shall select a new arbitrator in the manner set forth above. With respect to grievances involving the Departments of Airports, Harbor, Water and Power, Library, Recreation and Parks, Pensions and City Employees' Retirement System the decision of the arbitrator shall be advisory only.

With respect to grievances involving all other City departments, the decision of the arbitrator shall be final and binding on the parties;

(5) All expenses of arbitration, including the arbitrator's fee shall be shared equally by the parties.

b. The Board shall maintain a list of neutral professional arbitrators and shall, upon request of any party, furnish to the parties to the dispute a list of seven arbitrators for selection of an arbitrator to arbitrate an unresolved grievance, as set forth above.

#### SECTION HISTORY

Added by Ord. No. 141,527, Eff. 3-5-71.

Amended by: Subsec. (a), Ord. No. 144,462, Eff. 3-1-73; Subsec. a(3), Ord. No. 151,272, Eff. 9-2-78.