



Administrative Policy No. 18.77

Subject: Authority to Appoint Designees to Hear Secretary Level Grievances and Trial-Service/Transition Review Separations

Information Contact: DSHS Human Resources

Authorizing Source: RCW [43.20A.110](#)
[WFSE Collective Bargaining Agreement](#), Article 29
[SEIU Collective Bargaining Agreement](#), Article 34
[Coalition Collective Bargaining Agreement](#), Article 31
[Administrative Policy 18.61](#)

Effective Date: July 1, 2005

Revised: September 30, 2012

Approved By: original signed by Glen G. Christopherson
Senior Director, DSHS Human Resources

Purpose

The Department of Social and Health Services (DSHS) encourages informal problem resolution between employees and management at the earliest opportunity and at the lowest level. Supervisors and employees are encouraged to engage in free and open discussions about disputes.

Scope

This policy covers all Department employees and provides direction regarding delegation of authority to hear Secretary-Level Grievances and Trial-Service/Transition Reviews.

Definitions

Grievance:

- **Employees represented by WFSE (Article 29):** A grievance is an allegation by an employee or a group of employees that there has been a violation, misapplication, or misinterpretation of the collective bargaining agreement, which occurred during the term of the Agreement. The term “grievant” as used in this Article includes the term “grievants.”
- **Employees represented by SEIU (Article 34):** A grievance is an allegation by a nurse or a group of nurses that there has been a violation or misapplication of the collective

bargaining agreement, which occurred during the term of the Agreement. The term “grievant” as used in this Article includes the term “grievants.”

- **Employees represented by the Coalition (Article 31):** A grievance is an allegation by an employee or a group of employees that there has been an act that violates the collective bargaining agreement, which occurred during the term of the Agreement. The term “grievant” as used in this Article includes the term “grievants.”
- **Non-represented employees (Administrative Policy 18.61):** Any employee concern or dispute relating to conditions of employment, state or federal law, the Washington Administrative Code, Office of Financial Management (OFM) regulations, or agency policy or practice raised by an employee with standing, but does not include disciplinary action against a civil service employee. An employee with standing is one who is affected directly by the concern or dispute. This policy covers only those situations for which the office has authority to make decisions. A grievance may be filed regardless of any supervisor’s opinion of the validity of the complaint

Arbitration: A procedure by which the parties submit their conflict to a neutral party for a determination that is usually final and binding.

Trial Service Separation Review: A review conducted by the Director or Secretary/Designee in response to a request from an employee covered by the WFSE Collective Bargaining Agreement who is separated during the trial-service period.

Transition Separation Review: A review conducted by the Director or Secretary/Designee in response to a request from an employee/nurse covered by the WFSE or SEIU Collective Bargaining Agreement who is separated during the transition review period.

Secretary-Level Grievance: These grievances are heard by the Secretary Designee

- **SEIU Employees: The second step in the grievance process.**
- **Coalition Employees: The third step in the grievance process.**
- **WFSE Employees: The third step in the grievance process.**
- **Non-represented Employees: The second and final step in the grievance process.**

Policy

A. The Secretary has delegated authority to the Senior Director of DSHS Human Resources to hear Secretary-level grievances and conduct reviews of trial-service/transition review separations. The Senior Director of DSHS Human Resources has assigned this task to the DSHS HR Labor Relations Specialists who are responsible to:

1. Hear Secretary-level grievances and provide written decisions within the specified timeframes.
2. Review the circumstances of trial-service/transition review separations in accordance with the applicable Collective Bargaining Agreements and issue written decisions within a reasonable timeframe.

3. Attend grievance arbitrations on behalf of DSHS.
- B. Prior to hearing the first-level grievance, the Management Representative/Designee should contact Human Resources Operations Office Chief for employment related tort claims to:
1. Determine whether there is a pending tort claim or lawsuit filed by the employee or groups of employees making the same allegations as in the grievant.
 2. Resolve the grievance, tort claim or litigation, at the same time, if appropriate.

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