

## Rule IX: Grievance Procedure

9.00 Effort on the part of responsible persons shall be made to uncover and correct employee grievance as they arise. Employees whether temporary or permanent or part-time shall be encourage to voice complaints and to make problem known to their immediate supervisor.

In all cases, employees shall be assured freedom from restraint, interference, discrimination or reprisal.

9.10 Limitations: This rule shall not be construed to authorize the use of the grievance procedure for the adjustment of difficulties otherwise provided for by law or these rules, nor for reversal of the legitimate exercise of discretion of the administrative officers. Performance ratings or denial of salary increments shall be reviewed through appropriate procedures as provided through these rules or by operations of law.

9.20 Procedure: The following general principles shall be used to adjust difficulties:

- (1) Informal discussion between supervisor and complaining employee shall be held.
- (2) Supervisor shall inform employee of all relevant consideration and take immediate corrective action if the complaint is warranted.
- (3) If the immediate supervisor does not have sufficient authority to correct the difficulty, or if he does not believe further action is warranted, the employee shall be authorized to submit a formal request with in five (5) working days for re view of all actions taken to the Hospital Administrator who shall, if possible, secure a solution to the problem within five (5) working days following receipt of formal request.
- (4) The employee may refer the grievance within five (5) working days to the Board of Trustee's Personnel Committee (BOTPC) if not satisfied with the solution of the Hospital Administrator.

The employee, the department head involved in the dispute, and the employee of equivalent rank with the employee submitting the grievance (appointed by the Personnel Committee) for this hearing shall be present. Hearings shall be informal and technical rules of evidence shall not apply. The request of the hearing shall be submitted to the Personnel Committee in writing, starting the nature of the grievance and/or persons complained against and the nature of the attempted settlement.

9.30 Findings of the Personnel Committee: A report and the recommendations for disposition of the grievance shall be prepared by the Board of Trustee's Personnel Committee within five (5) working days after the hearing. Copies of such report shall be sent to the employee and the Administrator.

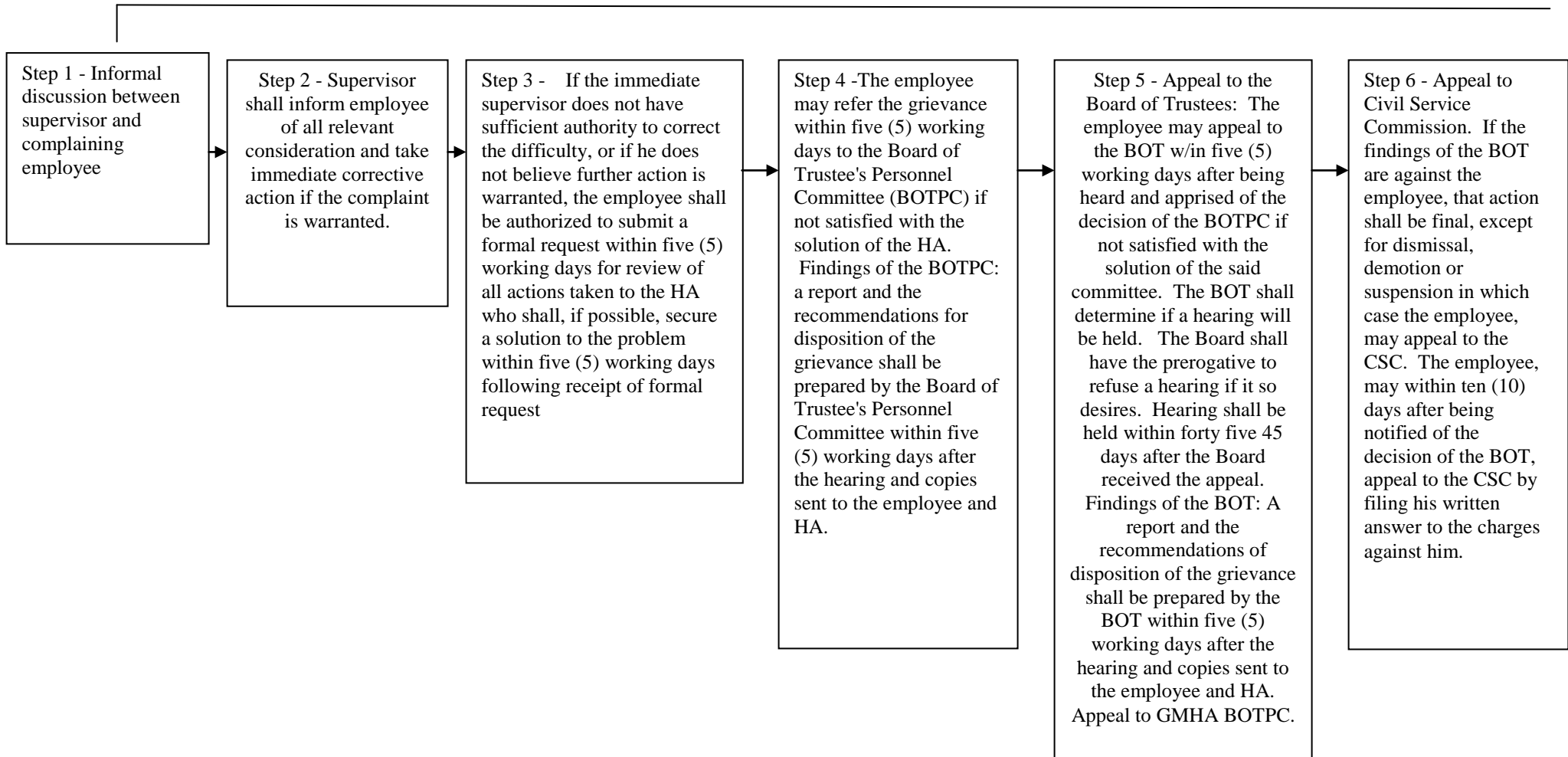
9.31 Appeals to the Board of Trustees: The employee may appeal to the Board of Trustees within five (5) working days after being heard and apprised of the decision of the BOTPC if not satisfied with the solution of the said Committee. The Board of Trustees shall determine if a hearing will be held. The Board shall have the prerogative to refuse a hearing if it is so desires. Hearing shall be held during working hours, and personnel called to attend the hearing shall do so without loss of salary. Hearing shall be held within forty five (45) days after the Board received an appeal. Hearing shall be informal and technical rules of evidence shall not apply.

Proceedings shall be recorded in summary form by the Board and shall contain all pertinent facts brought out during the hearing.

9.32 Findings of the Board of Trustees: A report and the recommendations for disposition of the grievance shall be prepared by the Board of Trustees within five (5) working days after the hearing. Copies of such report shall be sent to the employee and the Administrator.

9.40 Appeal to the Civil Service Commission: If the findings of the Board of Trustees are against the employee, that action shall be final, except for dismissal, demotion or suspension in which case the employee may appeal to the Civil Service Commission. The employee may, within ten (10) days after being notified of the decision of the Board of Trustees, appeal to the Civil Service Commission by filing his written answer to the charges against him.

## GRIEVANCE PROCEDURES FLOW CHART



GUAM MEMORIAL HOSPITAL AUTHORITY

**NEXT ADMINISTRATIVE LEVEL GRIEVANCE FORM  
STEP 2**

Employee Name: \_\_\_\_\_

Name of Supervisor: \_\_\_\_\_

Position Title: \_\_\_\_\_

Name of Higher Supervisor: \_\_\_\_\_

Statement of Grievance and outcome of informational discussion with immediate supervisor. (Step 1)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specific policy or regulation alleged to have been violated (Cite Source):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Remedy sought (be specific)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Upon completion of this section, grievant shall of this section, grievant shall present original and copies #2, #3, and #4 to the supervisor at the next administrative level. Copy #5 should be retained by grievant.

**IMMEDIATE SUPERVISOR RESPONSE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Upon completion of this section, the supervisor at the next administrative level shall retain original. Present copy # 2 to grievant. Copy #3 to the grievant's immediate supervisor, and forward copy #4 to agency head.

GUAM MEMORIAL HOSPITAL AUTHORITY

**AGENCY HEAD GRIEVANCE FORM  
STEP 3**

Appeal to agency head-all positions of this section must be completed by the grievant (copy #2) of completed grievance form – step 2 must be attached.

**REASON FOR APPEAL**

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**REMEDY SOUGHT (BE SPECIFIC)**

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DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Upon completion of this section, grievant shall present original and copies #2, #3, #4, and #5 to the department head. Copy #6 should be retained by grievant.

**DECISION OF DEPARTMENT/AGENCY HEAD**

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DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Upon completion of this section, agency head shall retain original and forward copy #2 to grievant, copy #3 to grievant's immediate supervisor, copy #4 to the supervisor at the next administrative level, and copy #5 to the Board of Trustees Personnel Committee (BOTPC)-Grievance Review Committee.

GUAM MEMORIAL HOSPITAL AUTHORITY

**GRIEVANCE REVIEW COMMITTEE (BOTPC) GRIEVANCE FORM  
STEP 4**

Request for committee of review. This section must be completed by the grievant. The copies of completed grievance forms in step 2 and step 3 must be attached.

I hereby request that the grievance review board be convened to consider the grievance outlined on the attachments.

My representative is (Optional): \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Upon completion of this section, grievant shall present original, copies #2 and #3 and all attachments to the Board of Trustees. Copy #4 should be retained by grievant.

Report of grievance review board:

Signed copies of the report of the grievance review board shall be attached to grievance forms. Original shall be placed in the grievance file. Copy #2 to the grievant and copy #3 shall be forwarded to the department/agency head.

Date of Formation of Grievance Review Committee (BOTPC): \_\_\_\_\_

Date of Submission of report of Grievance Review Committee (BOTPC): \_\_\_\_\_

GUAM MEMORIAL HOSPITAL AUTHORITY

**BOARD OF TRUSTEES GRIEVANCE FORM  
STEP 5**

**APPEAL TO THE BOARD OF TRUSTEES:**

If this section is completed by the grievant, copies of the completed grievance forms in step 2, 3, and 4 and the report of the grievance review board must be attached.

I hereby request that the grievance outlined on the attachments be review by the Board of Trustees.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Upon completion of this section, grievant or agency heads shall present original, copy #2 and copy #3 and all attachments to the Board of Trustees. Copy #4 should be retained by grievant or agency head. The Board of Trustees shall forward the grievance file to the Civil Service Commission upon request by grievant or department head.

**Civil Service Commission Reply:**

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Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Upon completion of this section, copy #2 will be presented to grievant and copy #3 to the department/agency head. The original and all attachments shall be placed in the grievance file. The file is placed in a permanent file with the Civil Service Commission.