

<b>HUMAN RESOURCES MEMORANDUM 08-019</b>		DATE ISSUED: 08/11/2008
SUBJECT: <b>GRIEVANCE PROCEDURE FOR EXCLUDED EMPLOYEES</b>		REFERENCE: None
TO: EXECUTIVE TEAM, OFFICE CHIEFS, OFFICE MANAGERS, SUPERVISORS, Personnel Liaisons		SUPERCEDES: None

**PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES**

**Purpose**

The purpose of this Human Resources Memorandum is to provide a departmental grievance and appeal procedure for excluded employees. In accordance with California Department of Human Resources (CalHR) Rule 599.859(c), departments are delegated authority to establish a written procedure for the resolution of grievances of its excluded employees.

**Definition**

Excluded Employee: An employee of the State excluded from or otherwise without exclusive representation under the Ralph C. Dills Act (Government Code 3512 et seq.). Excluded employees include managerial, supervisory, exempt, and confidential employees.

**Informal Discussion**

The excluded employee or the excluded employee's representative shall discuss the grievance with the excluded employee's immediate supervisor. If the grievance is not settled within five (5) work days, a written grievance may be filed.

**Formal Grievance: Level 1 (Office Chief)**

A formal grievance ([STD 631](#)) may be filed to the first level of review no later than ten (10) work days after the event or circumstances occasioning the grievance. Within fifteen (15) work days after receipt of the grievance, the Office Chief shall respond in writing to the grievance.

**Formal Grievance: Level II (Labor Relations)**

The grievant may appeal the decision of the first level within ten (10) work days after receipt of the response to the Deputy Director. Within fifteen (15) work days after receipt of the appeal, the Labor Relations Office on behalf of the Deputy Director (or his/her designee) shall respond in writing to the grievance.

**Formal Grievance: Level III (California Department of Human Resources)**

The grievant may appeal the decision of the second level within ten (10) work days after receipt of the response to the Director of the CalHR or his/her designee. Within twenty (20) work days, the Director or his/her designee shall respond in writing to the grievance.

**Questions**

Questions regarding the excluded employee grievance procedure should be directed to the Department of General Services, Labor Relations Officer at (916) 376-5384.

/s/

JILL ELLWOOD, Manager  
Labor Relations and Program Improvement Section