

# **METROPOLITAN LIBRARY COMMISSION OF OKLAHOMA COUNTY**

## **ADMINISTRATIVE & PERSONNEL COMMITTEE**

### **AGENDA**

Members: Dr. Caine, Chair  
Carolyn Cornelius  
Shirley Pritchett  
Marguerite Ross

Wednesday, January 24, 2007  
3:30 p.m.  
Belle Isle Library  
5501 N. Villa  
Oklahoma City, OK 73112  
Telephone: (405) 843-9601

NOTE: Comments from the general public will be limited to 15 minutes with time prorated among speakers. Preference will be given to residents of Oklahoma County. Persons signing up to address the committee must list their residential address and personally sign a speaker form.

- I. Call to Order and Establishment of Quorum -Dr. Ann Caine, Chair
- II. Discussion, Consideration and Possible Action: Review of current MLS Grievance Policy with possible amendments

Cc: Metropolitan Library Commission  
MLS Administrative Team  
MLS Agencies & Departments  
President, MLS Staff Association

January 16, 2007

TO: Administrative and Personnel Committee  
Metropolitan Library Commission

FROM: Richard E. Rea  
Director of Human Resources

SUBJECT: "Whistleblower Policy"

I have enclosed the Grievance Policy and the administrative procedure (Policy & Procedure Manual item SH 520 and SH 520.1) and the Complaint Resolution Procedures of the Civil Rights Policy (SH510.1). The Complaint Resolution Procedures has a built-in method of by-passing the immediate supervisor when that person is alleged to be the individual causing the problem.

The Grievance Procedure, unfortunately, does not have such an avenue.

It is my belief that a similar "by-pass" can be incorporated into the Grievance Procedure to handle the concerns which you have expressed. The administration will provide you with a proposal to do so at the Administrative & Personnel Committee meeting that you have scheduled for January 24, or earlier if available.

# **SH 500 Rights of Employees**

## **SH 520 Grievance Policy**

*Adopted: 2/81, Revised 12/02, 7/06*

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### **Purpose**

It is the purpose of the Grievance Policy and Procedure to assure employees that their work-related problems or disagreements shall be considered fairly and without undue delay, and that any employee who presents a complaint in good faith shall be free from restraint or reprisal. The policy is designed primarily to promote reaching the right decision rather than determining who is "right" or who is "wrong."

### **Policy**

All full-time and designated part-time FTE (i.e., one-half time, three-fourths-time, four-fifths-time, etc. and budgeted in Account 101) employees with at least six months' service in the system shall have the right to appeal through the proper grievance channels on matters which directly affect them. Personnel actions such as pay increases, promotions, demotions, performance evaluations, transfers, suspensions, terminations and reprimands may be subjects for appeal.

If the grievance concerns a termination, the affected individual's employment status with the library system will be terminated. However, if the final decision in the grievance procedure is rendered in favor of the grievant, the individual shall be reinstated with no loss of salary, fringe benefits or seniority to that employee as follows:

1. The individual opted for continuation of coverage under COBRA, made timely premium payments as required by COBRA, and returns to "actively at work" status within the eighteen (18) months of COBRA eligibility, the individual will be reinstated to the Employee Benefit Plan and other such insurance plans as may be provided by the library system. The library's share of insurance premiums will be reimbursed to the individual only if the final decision favors reinstatement of the grievant.
2. If the individual opted not to have COBRA continuation of coverage, for whatever reason, or failed to make timely premium payments as required by COBRA, the reinstated employee will be treated as a new hire and subject to all provision of the Employee Benefit Plan for new employees.



# **SH 520 Grievance Policy**

## **SH 520.1 Grievance Procedures**

***Adopted: 2/81, Revised 12/02***

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- Step 1: An employee shall first discuss a grievance with his/her immediate supervisor in an attempt to reach a satisfactory conclusion.

Such discussion shall be initiated within five (5) working days from the date of the incident complained of, or within five (5) working days from the date the employee became aware of the incident, whichever is later.

In this step, it is not mandatory to have the grievance in writing. This step is for employees to discuss problems with their supervisor to foster better understanding. In every instance, the supervisor and employee are encouraged to settle the matter between themselves.

The supervisor's decision shall be given to the employee within five (5) working days. \*

- Step 2: A grievance not satisfactorily resolved at Step 1 must then be presented in writing by the grievant within five (5) working days\* to the supervisor's supervisor, who shall review the grievance, discuss it with all concerned, and render a decision in writing within five (5) working days\* to the employee, with a copy to the supervisor.

- Step 3: If not satisfied with the decision in step 2, a grievant has five (5) working days\* from the point of receiving the decision in which to appeal, in writing, to the Director of Human Resources or to a person designated by the Executive Director to act in the Director of Human Resources' absence), who shall conduct a review of the matter. If the supervisor's supervisor is the Executive Director, Step 3 is not applicable.

This review may include, but is not restricted to, interviewing all parties concerned and making an effort to reconcile the parties within ten (10) working days after the conclusion of the review. \* A written recommendation shall be made by the Director of Human Resources to all parties.

- Step 4: A grievance not resolved during the first three steps may be presented in writing by the grievant within five (5) working days\* to Executive Director who shall conduct a hearing and render a decision within fifteen (15) working days.

- Step 5: Either party may appeal the decision of the Executive Director by requesting a review, in writing and within five (5) working days, \* by the Administrative and Personnel Committee of the Library Commission. The Committee may review all previous testimony and evidence, conduct an investigation or interview affected parties if it deems necessary, and render the final decision, to be implemented by the Executive Director.

\* The Executive Director may extend deadlines due to extenuating circumstances.

**SH 500 Rights of Employees**  
**SH 510.1 Complaint Resolution Procedures**  
*Revised: 3/97, 2/03*

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## **Complaint Resolution Procedures**

This resolution procedure covers employment-based discrimination and sexual, racial or ethnic harassment complaints in lieu of the Grievance Procedure contained elsewhere in the Policies and Procedures of the library system.

1. Any employee or volunteer who feels that he or she has been discriminated against based on race, color, religion, gender, age, national origin, veteran status, or any physical or mental disability or subjected to sexual, racial or ethnic harassment should discuss the matter with either their immediate supervisor or any administrative team manager. If discussed with an immediate supervisor, the supervisor must notify an administrative team manager of the matter.
2. In cases where an administrative team manager is alleged to be the discriminating or harassing party or where the administrative team manager is unable to resolve the matter, the employee or volunteer should discuss the matter with the Executive Director.
3. In cases where the Executive Director is alleged to be the discriminating or harassing party, the employee or volunteer should take the matter to the chairperson of the Administrative and Personnel Committee of the library commission.
4. The Metropolitan Library System via this policy endeavors to resolve any complaint in these types of matters. Therefore, an employee or volunteer alleging illegal discrimination or harassment is expected to exhaust these administrative complaint resolution procedures before presenting the matter to the Oklahoma Human Rights Commission, the U.S. Equal Employment Opportunity Commission or the courts.