

6/24/92

EMPLOYEES' GRIEVANCE PROCEDURE
DISCRIMINATION COMPLAINTS

Purpose

The purpose of this procedure is to provide for administration of an employee discrimination Complaint Procedure. The objective of the process is to resolve complaints informally, whenever possible, with fairness, justice, and in orderly, timely fashion, and to provide an avenue of formal resolution through the administrative avenues within the municipal system. All complaints must be on the basis of alleged discrimination against an individual because of race, color, national origin, religion, age, disability, sex, or sexual orientation. This procedure shall only be used for the processing of discrimination complaints. However, the Civil Service Commission, the grievance procedure outlined in the Chief Administrative Office's Policy Memorandum No. 4, and the federal EEOC are at the employee's disposal not only for filing complaints of discrimination, but for the voicing of grievances not related to discrimination.

The Process

The following is a step-by-step outline of the actions to be taken under this procedure. There are two (2) major functional components of the complaint process. They are the informal and the formal action procedures. An employee is advised to proceed to the formal action procedure of this directive only if the matter in question is not satisfactorily resolved within the prescribed time limits of Section 1 (the informal complaint procedure) of this grievance process.

A. Section 1 - Informal Complaint Procedure

1. The individual must take the complaint to the ~~department's EEO Representative within five (5)~~ working days of the date the alleged discriminatory act took place, or, if a disciplinary action, within five (5) days of the effective date of action.
2. The EEO Representative must attempt to resolve the complaint within ten (10) working days after the initial interview with the complainant.
 - a. He/she must seek to resolve the complaint at the lowest administrative level possible.

(over)

- b. The EEO departmental representative shall present the grievance orally to the complainant's immediate supervisor within five (5) days of the act giving rise to the original complaint.
- c. He/she shall keep a record of the activities conducted on the complaint.
- d. He/she shall advise the aggrieved, in writing, of the right to indicate formal action if the matter is not satisfactorily resolved within the fifteen (15)-day time limit.

B. Section II - Formal Action Procedure

1. The grievance shall be reduced to a written statement on a form provided by the City (CAO Form No. 1) and shall be presented to the employee's EEO Representative (within five (5) days) subsequent to the decision which the employee deemed unsatisfactory.
2. The EEO Representative then shall forward the written complaint to the appointing authority or his/her designated representative within three (3) working days with a copy to the CAO, Personnel Management and General Services Division.
3. The grievance shall then be taken up among the employee's EEO representative, and/or the employee, the appointing authority and the CAO's EEO Officer (or his/her designated representative).
4. If no agreement is reached at the aforementioned level within seven (7) days after the initiation of the written complaint, then the EEO Officer shall make his/her final recommendation to the Chief Administrative Officer.
5. The Chief Administrative Officer shall render a final decision based upon the facts presented on CAO Form No. 1 and the recommendations of the EEO Officer (or his/her designated representative).

- C. Appointing authorities are requested to make every effort possible to arrive at a solution when a grievance is received in oral form by the first line supervisor rather than resort to the formal written procedure outlined in this directive.

CITY OF NEW ORLEANS
EMPLOYEE PROBLEMS FORM
DISCRIMINATION COMPLAINT

CAO-I

TO:

FROM:

DEPARTMENT:

DATE:

DIVISION:

=====

Cause of Grievance:

What should be done to remedy this matter?

Date: _____

(Signature of Employee)

SUPERVISOR TO EMPLOYEE

Decision: _____

Date: _____

(Signature of Immediate Supervisor)

July, 1992 CAO PM No. 54 (Revised)
CAO PM No. 94

(OVER)

APPEAL TO APPOINTING AUTHORITY
(DISCRIMINATION COMPLAINT)

I wish to appeal my immediate supervisor's decision on my grievance.

Date: _____

(Signature of Employee)

APPOINTING AUTHORITY TO EMPLOYEE

Decision:

Comments:

Date: _____

(Signature of Appointing Authority)

APPEAL TO EMPLOYEE PROBLEMS APPEALS COMMITTEE

I wish to appeal my Appointing Authority's decision on my grievance.

Date: _____

(Signature of Employee)

GRIEVANCE PROCEDURES FOR BENEFICIARIES OF CITY SERVICES

It is the policy of the City of New Orleans not to discriminate on the basis of race, color, religion, national origin, age, disability, sex, or sexual orientation. Any person applying for or receiving City services and who is dissatisfied with the furnishing or denial of such services may register a complaint with the Citizens' Action Center or the appropriate City department, board, agency, or commission. The City will ensure that disabled persons can participate in this grievance process on the same basis as citizens who are not disabled.

A copy of this grievance procedure will be posted in a prominent, easily accessible location. Supervisors will include a briefing on these grievance procedures in their initial orientation of all new employees.

INQUIRIES:

Complaints will be registered with the Human Rights Coordinator, Room 1W06, City Hall, 1300 Perdido Street, New Orleans, Louisiana 70112, or by calling the Citizens' Action Center at 565-7115 or (TTY/VOICE 586-4475).

REVISED: JULY, 1992
CAO PM NO. 54 (REVISED) ATTACHMENT
CAO PM NO. 94 ATTACHMENT

July, 1992

SAMPLES OF
REASONABLE ACCOMMODATIONS

BLIND/VISUALLY IMPAIRED

Adaptive hardware & software for computers
Electronic visual aids
Braille devices & materials
Talking calculators
Magnifiers
Audio recordings
Readers

HEARING IMPAIRED

Telephone headset amplifiers
Telephone compatible with hearing aids
Telecommunication devices for deafness (TDD)
Signing interpreters

LIMITED PHYSICAL DEXTERITY

Gooseneck telephone headsets
Mechanical page turners
Raised or lowered furniture/telephones
Lowered drinking fountains
Grab bars
Opened area for maneuvering

Attachment: CAO P.M. NO. 94