

Policy: The Division of MHDS will comply with NAC 284.658 through 284.697, regarding the employee grievance process.

Purpose: To ensure that employees who have attained permanent status have the rights provided by statute and regulation to address issues of concern regarding any condition arising out of the relationship between an employer and the employee.

Procedure:

- I. NRS 2824.384, section 4, defines “grievance” as “any act, omission or occurrence which an employee who has attained permanent status feels constitutes an injustice relating to any condition arising out of the relationship between an employer and an employee, including, but not limited to, compensation, working hours, working conditions, membership in an organization of employees or the interpretation of any law, regulation or disagreement.”
- II. NAC 284.658 provides that the act, omission or occurrence must be established with factual information including date, time and place, as well as names of other persons involved.
- III. The resources and consultation available from their agency personnel offices and the Department of Personnel are to be made available to all parties to assist in resolving a grievance.
- IV. Every effort should be made to resolve the grievance by informal discussion during the 20 days following the employee’s knowledge of the problem. A formal grievance must be filed within 20 working days following the origin of the grievance or the date an employee who feels aggrieved learns of the problem.
- V. If a formal grievance is filed, the information requested must be provided on form NPD-50. If this form is not available, the employee may submit a grievance in a letter, which must contain the information specified in NAC 284.678, section 2, (a) - (m).
- VI. There are four levels in the state’s grievance process, which may only be accessed sequentially: 1) Immediate Supervisor; 2) Division Administrator; 3) Department Head; and 4) Statewide Employee Management Committee (EMC).
- VII. Immediate supervisors who receive formal grievances must make their manager and/or agency director aware of the grievance. Because there are often several levels in the chain of command between immediate supervisor and the MHDS Division Administrator, the agency director is to decide which supervisor or manager within the chain of command will research and respond to the employee’s grievance.

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- VIII. At levels 1 - 3 in the grievance process (immediate supervisor through department director), grievance responses are due within ten working days unless an extension has been granted using the Department of Personnel's TS-145 form.
- IX. Fourth level (EMC) grievance review occurs through a hearing of this group comprised of representatives of employees and managers throughout state departments who are appointed by the Governor. This hearing is scheduled by Department of Personnel.
- X. After receiving a grievance response at any level, a grievant has ten working days to submit the grievance to the next level if he/she is not satisfied. If the employer does not respond within ten days or by the an agreed-upon extension date, the grievant has ten days from the date the response was due to submit his/her grievance to the next higher level.
- XI. Extensions for grievance submission must also be documented on the TS-145 form.
- XII. Form NPD-51, Response to Formal Grievance, is to be completed by the respondent at each step in the grievance procedure
- XIII. Each agency shall develop policies and procedures to implement the provisions of this policy, or shall incorporate this policy into the agency policy and procedure manual.



Administrator

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