

GRIEVANCE PROCEDURE FOR CONDUCT AND DISCIPLINE ISSUES

Note: This procedure is only accessible to full and part-time employees other than those who are “New Employees” as that term is defined in Section XIV (A). Temporary Employees may not utilize the Grievance Procedure.

If an employee has a grievance regarding conduct or discipline, the following steps must be taken:

1. The employee should verbally discuss his/her grievance with the person with whom they have an issue. If that discussion is unsuccessful or if the grievance involves violence, then refer to #2.
2. The employee should submit the grievance in writing to his/her immediate supervisor within 3 working days after the employee knew (or reasonably should have known) of the alleged grievous incident, requesting a meeting with his/her immediate supervisor in an attempt to resolve the dispute.
3. If this meeting does not result in a satisfactory resolution to either party, the employee may request, in writing, a meeting with the Deputy Director within 3 working days. The employee's immediate supervisor may attend the meeting at the Deputy Director's discretion.
4. If the issue still remains unresolved, the employee may request a further review of the dispute by the Executive Director by submitting a written request within 3 working days of the decision by the Deputy Director. The Executive Director shall meet with the aggrieved employee, the Deputy Director, and the immediate supervisor to collect any additional input she/he feels would be relevant. Within 5 days the Executive Director shall provide a written decision, which shall be binding and final. The employee will not be retaliated against for utilizing this grievance procedure.
5. If the grievance involves termination, the terminated employee must, file with the Deputy Director, a written grievance and request for meeting with the APNM President of the Board of Directors, whose decision will be final.

THE FACT THAT APNM UTILIZES AND PROVIDES A GRIEVANCE PROCEDURE SHOULD NOT BE INTERPRETED AS AN ABSOLUTE RIGHT OF THE EMPLOYEE. THERE ARE SOME EMPLOYMENT SITUATIONS WHICH MANAGEMENT MAY DEEM, IN ITS SOLE DISCRETION, TO BE “UNRESOLVABLE” PURSUANT TO A GRIEVANCE PROCEDURE; IN WHICH CASE THE EXECUTIVE DIRECTOR WILL TENDER THE FINAL DECISION. THE GRIEVANCE PROCEDURE IS NOT INTENDED TO ALTER THE “AT-WILL” EMPLOYMENT RELATIONSHIP.

**PLEASE NOTE: grievances from APNM staff or outside parties in relation to the administration of the FFY 18 VOCA grant should be directed to <http://www.cvrc.state.nm.us/> or by telephone to 505-841-9435.*