

**67-19a-303 Employees' rights in grievance procedure.**

- (1) For the purpose of submitting and advancing a grievance, a career service employee, or a reporting employee alleging retaliatory action, may:
  - (a) obtain assistance by a representative of the employee's choice to act as an advocate at any level of the grievance procedure;
  - (b) request a reasonable amount of time during work hours to confer with the representative and prepare the grievance; and
  - (c) call other employees as witnesses at a grievance hearing.
- (2) The state shall allow employees to attend and testify at the grievance hearing as witnesses if the employee has given reasonable advance notice to the employee's immediate supervisor.
- (3) No person may take any reprisals against a career service employee or a reporting employee for use of a grievance procedure described in this chapter.
- (4)
  - (a) The employing agency of an employee who files a grievance may not place grievance forms, grievance materials, correspondence about the grievance, agency and department replies to the grievance, or other documents relating to the grievance in the employee's personnel file.
  - (b) The employing agency of an employee who files a grievance may place records of disciplinary action in the employee's personnel file.
  - (c) If any disciplinary action against an employee is rescinded through the grievance procedures described in this chapter, the agency and the Department of Human Resource Management shall remove the record of the disciplinary action from the employee's agency personnel file and central personnel file.
  - (d) An agency may maintain a separate grievance file relating to an employee's grievance, but shall discard the file after three years.

Amended by Chapter 427, 2013 General Session