

**67-19a-401 Time limits for submission and advancement of grievance by aggrieved employee -- Voluntary termination of employment -- Group grievances.**

- (1) Subject to the provisions of Part 3, Grievance Procedures, and the restrictions contained in this part, a career service employee may have a grievance addressed by following the procedures specified in this part.
- (2) The employee and the person to whom the grievance is directed may agree in writing to waive or extend grievance steps specified under Subsection 67-19a-402(1), (2), or (3) or the time limits specified for those grievance steps, as outlined in Section 67-19a-402.
- (3) Any writing made under Subsection (2) shall be submitted to the administrator.
- (4) Except as provided under Subsection (6), if the employee fails to advance the grievance to the next procedural step within the time limits established in this part:
  - (a) the employee waives the right to advance the grievance or to obtain judicial review of the grievance; and
  - (b) the grievance is considered to be settled based on the decision made at the last procedural step.
- (5)
  - (a) An employee may submit a grievance for review under this chapter only if the employee submits the grievance:
    - (i) within 20 working days after the event giving rise to the grievance; or
    - (ii) within 20 working days after the employee has knowledge of the event giving rise to the grievance.
  - (b) Notwithstanding Subsection (5)(a), an employee may not submit a grievance more than one year after the event giving rise to the grievance.
- (6) The provisions of Subsections (4) and (5)(a) do not apply if the employee meets the requirements for excusable neglect established by rule.
- (7) A person who has voluntarily terminated the person's employment with the state may not submit a grievance after the person has terminated the employment.
- (8)
  - (a) If several employees allege the same grievance, the employees may submit a group grievance by following the procedures and requirements of this chapter.
  - (b) In submitting a group grievance, each aggrieved employee shall sign the grievance.
  - (c) The administrator may not treat a group grievance as a class action, but may select one aggrieved employee's grievance and address that grievance as a test case.

Amended by Chapter 249, 2010 General Session