

67-19a-403 Advancement of grievance to administrator -- Initial hearing.

- (1) At any time after a career service employee submits a written grievance to the administrator under Subsection 67-19a-402(4), the administrator may attempt to settle the grievance informally by conference, conciliation, and persuasion with the employee and the agency.
- (2)
 - (a) When an employee advances a grievance to the administrator under Subsection 67-19a-402(4), the administrator shall initially determine:
 - (i) whether the employee is a career service employee and is entitled to use the grievance system;
 - (ii) whether the office has authority to review the grievance; and
 - (iii) whether the employee has been directly harmed.
 - (b) In order to make the determinations required by Subsection (2)(a), the administrator may:
 - (i) hold an initial hearing, where the parties may present oral arguments, written arguments, or both; or
 - (ii) conduct an administrative review of the file.
- (3)
 - (a) If the administrator holds an initial hearing, the administrator shall issue a written decision within 15 days after the hearing is adjourned.
 - (b) If the administrator chooses to conduct an administrative review of the file, the administrator shall issue the written decision within 15 days after the administrator receives the grievance.

Amended by Chapter 249, 2010 General Session