



ADMINISTRATIVE PROCEDURES

Procedure Number: 23-24

Effective Date: 07/15/2005

Revision Date: 09/08/2011

C. Dulcet

County Administrator

SUBJECT: **REPRESENTATION ON INVESTIGATIONS**

DEPARTMENT RESPONSIBLE: **HUMAN RESOURCES DEPARTMENT**

I. STATEMENT

The purpose of this procedure is to clearly define when an employee is entitled to representation during an investigation being conducted by Pima County.

An employee is entitled to file a grievance if he or she believes a violation has occurred under Merit System Rule 13.2 - Grievances Not Alleging Discrimination and Merit System Rule 13.3 - Grievances Alleging Discrimination, Board of Supervisors Policies D.21.2 - Prevention of Sexual Harassment, and D.21.3 - Prevention of Workplace Harassment.

II. DEFINITIONS

- A. **Grievance:** a written complaint filed by an employee directly with his or her department alleging discrimination/retaliation, or a misapplication, misinterpretation or unequal enforcement of Merit System Rules, Personnel Policies, or Administrative Procedures, or after receipt of a Letter of Reprimand.
- B. **Third Party Complaint:** a written or verbal complaint submitted to Human Resources or the County Administrator documenting issues(s) of concern from an Appointing Authority or designee, or a member of the public.
- C. **Administrative Investigation:** an investigation conducted by Human Resources, initiated or authorized by the County Administrator, to address workplace violence allegations, third party complaints and departmental concerns.

III. PROCEDURE

- A. Pursuant to Merit System Rule 13.4, an employee who files a grievance is allowed representation when the employee is interviewed during an investigation of the grievance by his/her department, the Human Resources Department or a Grievance Committee.

- B. Administrative investigations are utilized for third-party complaints or to address workplace violence allegations, and no provision exists under the Merit System Rules and Personnel Policies for representation when any employee is interviewed by Human Resources or any other Pima County entity for this purpose.

References: Board of Supervisor Policies D.21.2 and D.21.3
Merit System Rule 13