



Dispute Resolution Procedure
Department of Employee Relations
City of Milwaukee (R. 06/20)

DER File # _____

The City of Milwaukee is committed to creating and maintaining strong and positive employee-management working relationships that foster improved decision making, goodwill, innovation, and the delivery of quality public services. The City endeavors to treat all employees with dignity and respect. By developing and fostering harmonious and cooperative working relationships we can maximize efficiency and increase accountability at all levels.

In accordance with the aforementioned principles, the City endeavors to treat employees equitably within established City and department policies or procedures and in accordance with applicable state and federal guidelines affecting the workplace. The City is committed to the advancement of racial equity and to promote an inclusive culture that maximizes the talent, skills, and diversity within the City of Milwaukee.

This employee Dispute Resolution Procedure (DRP) has been established to allow an employee or employee representative to express a concern with issues that affect the employee's conditions of employment and which are the subject of control of the City or the department where the employee works. It is intended to resolve disputes about the application or administration of existing City or departmental policies and procedures. It is expected that many, if not most, issues can be resolved prior to beginning the formal dispute resolution process. This procedure is not intended to replace the obligation that employees and management representatives have to address and resolve issues in a timely and thorough manner.

This procedure is available to all general city employees excluding all Fire Department and Police Department employees. Retaliation against an employee for proper and good faith use of the DRP is strictly prohibited.

This DRP does not cover the following for which there are other appeal procedures:

- Disciplinary Grievances
- Safety grievances
- Violations of the anti-harassment policy (harassment and/or discrimination based on any protected class)
- Application of issues related to employee benefits, health, disability or other insurances
- Worker's Compensation
- Matters that are subject to appeal before the Civil Service Commission

It is expected that an employee desiring to raise a concern or complaint will utilize the process outlined below before proceeding to the next step. However, employees may bypass a step and move immediately to the next step if they feel that following the steps below would be inappropriate due to the nature of the dispute. If an employee skips a step, the dispute may be

referred back to the skipped step if appropriate. The City expects employees to use good faith efforts to resolve all disputes. Likewise, the City will exercise good faith efforts in reaching a resolution with the employee.

The dispute resolution procedure will generally follow two (2) steps:

Step 1

An employee with a concern shall discuss the issue with his/her personnel officer and/or immediate supervisor and request its resolution. The supervisor and/or personnel officer is expected to respond to the employee within seven (7) business days. Nothing needs to be in writing for Step 1 from the employee or supervisor.

Step 2

If the dispute remains unresolved, the employee may submit a written dispute form to the Labor Negotiator within five (5) business days of receiving the supervisor's decision. The Labor Negotiator or his/her designee will act as the independent reviewer of the dispute.

Under this procedure DER may refer the matter back to the department, facilitate training or coaching intervention, provide guidance or direction regarding the interpretation of an ordinance, recommend disciplinary action, or make a recommendation to implement an HR best practice.

The Labor Negotiator or designee may confer with the employee and departmental personnel as necessary.

The Labor Negotiator or designee will issue a written determination as to whether the dispute was sustained, not sustained, or inconclusive within thirty (30) business days from the date of the initiation form or the date a meeting is held. The Labor Negotiator or designee will notify the employee and the department of the determination and if there any recommendations for action. In addition to the resolution of a specific issue brought forward through the DRP, recommendations for action may include training on racial equity, implicit bias, in-group favoritism, and stereotype threat. There is no right to a hearing before the City Service Commission for the dispute.