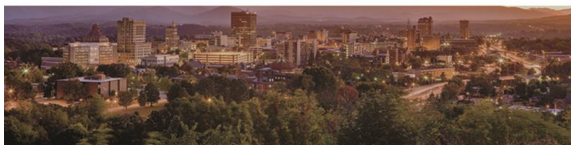
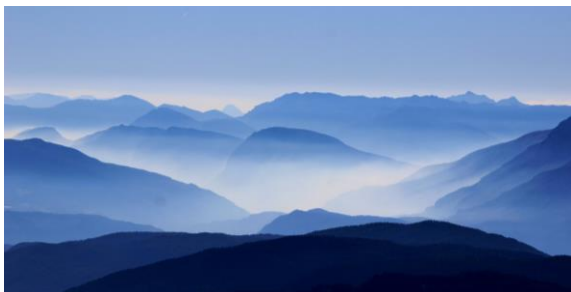




The Employee Grievance Process
Public Law for the Public's Lawyers 2019
Nancy Astrike, Division Director
NC Office of State Human Resources
November 7, 2019



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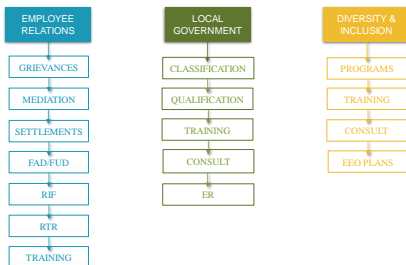
DIVERSITY AND WORKFORCE SERVICES

2018

2

2018 Division Metrics

The Diversity and Workforce Services Division within OSHR is responsible for providing comprehensive human resources consultation in the areas of employee relations, local government services, and diversity and inclusion. Within this broad scope, the division is providing metrics related to these functional areas:



3

3

CONFLICT RESOLUTION MODEL

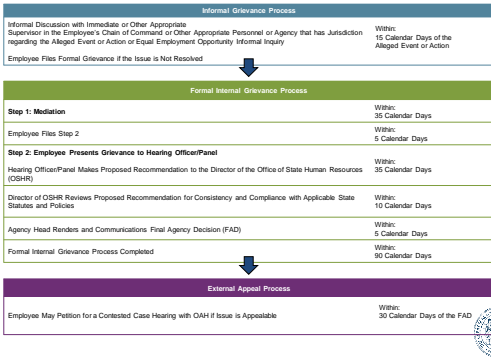


- Progressive disciplinary policy:
 - Requires "Just Cause"
 1. Personal Conduct
 2. Unsatisfactory Job Performance
- Grievance Appeal Process
 - Obtain a Final Agency Decision (FAD) within 90 days from the date the grievance is filed.
 - Contested case may be filed within 30 days of the FAD:
 1. Discrimination or harassment
 2. Retaliation
 3. Just cause for dismissal, demotion, or suspension
 4. Denial of Veteran's Preference
 5. Failure to post or give priority consideration
 6. Whistleblower



4

Employee Grievance Process: Overview and Timeframes



5

Employee Relations Grievances

Discrimination	117 (34%)
Harassment	109 (31%)
Policy Violation	96 (28%)
Retaliation	27 (8%)
Grand Total	349

22% ↓ in Employees filing Grievances

In 2017, we had a total of 298 employees file a grievance and a total of 233 in 2018. This reflects a 22% reduction.

19% ↓ in Grievances by Type Filed

In 2017, 433 separate grievable issues were filed and a total of 349 in 2018. This reflects a 19% reduction. Grievances based on discrimination were the most frequently filed.

26% ↓ in Grievances continuing to Mediation

In 2017 74% of grievances filed continued to mediation. In 2018 55% of grievances filed continued to mediation.

6

6

Employee Relations Mediations



CASELOAD
Total mediations processed by OSHR



RESOLVED
Percentage Resolved during mediation vs Total mediations



SUCCESS
Percentage of cases which had Appeal Rights end at Step 1



7

Employee Relations Mediations

Carolina Dispute Settlement Services charges \$150 - \$200 per hour and an additional \$150 Admin Fee. This is equivalent to the cost of a Court Appointed Mediator, which can also cost \$150 and hour plus a \$150 Admin Fee.

\$128,925

On average our mediations last 3.5 hours. At a cost of \$150 per hour plus the \$150 admin charge, our average mediation cost would be \$675. With a total of 191 mediations in 2019, we have saved approximately \$128,925.

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Employee Relations Mediations



MEDIATION RESPONSE
The average number of days to make initial contact with Mediators



FADIFUD RESPONSE
The average number of days to review and approve a FADIFUD



GRIEVANT SATISFACTION
Grievants who indicate mediation provided a positive opportunity to discuss the grievance



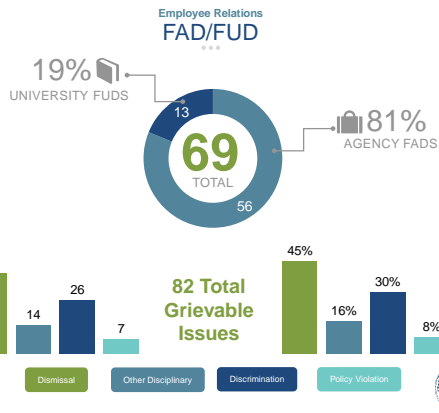
MEDIATION SUCCESS
Percentage of Grievances which ended at Step 1 (Mediation)



RESPONDENT SATISFACTION
Respondents who indicate mediator provided a positive opportunity to discuss the grievance



9



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Employee Relations Settlements

- All Agencies**
30 (79%) - Total Number of Settlements Processed by OSHR
\$589,134.71 - Total Cost of Settlements
\$19,637.82 - Average Cost Per Settlement
- All Universities**
8 (21%) - Total Number of Settlements Processed by OSHR
\$338,295.51 - Total Cost of Settlements
\$42,286.94 - Average Cost Per Settlement
- All Agencies & Universities**
38 - Total Number of Settlements Processed by OSHR
\$927,430.22 - Total Cost of Settlements
\$24,406.06 - Average Cost Per Settlement

* These figures do not include:
1. Costs contained in agreements not reviewed by OSHR

CHANGES FROM 2017

50% ↓ in Agency Settlements
In 2017, we had a total of 60 Agency settlements process by OSHR. These totaled to a cost of \$1,630,624.33.

14% ↑ in University Settlements
In 2017, we had a total of 7 University settlements process by OSHR. These totaled to a cost of \$189,574.31.

43% ↓ in Total Settlements
In 2017, we had a total of 67 settlements process by OSHR.

49% ↓ in Total Settlement Cost
In 2017, the total settlement cost was \$1,820,198.64.

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