

SEIU Local 1021

Opening Proposal

May 16, 2016

Article 11: Grievance Procedures

11.8 **Step Four:** ~~If, within five (5) regular working days of receipt of the response of the mediator, the Union disputes the proposed resolution, the Union may request that the grievance be heard before the Board of Supervisors of the County of Del Norte. The request shall be in writing or on a form provided by the County stating the reasons why the outcome is still in dispute. The requested hearing must be held within twenty (20) regular working days of receipt of the appeal by the Clerk of the Board. The Board's decision shall be in writing, stating the reasons for their decision and shall be presented to the grievant within five (5) regular working days of the hearing. The decision of the Board of Supervisors shall be final.~~

If, within five (5) ten (10) regular working days of receipt of the response of the mediator, the grievant disputes the proposed resolution, the grievant may request binding arbitration. The request for binding arbitration must be submitted to the Personnel Officer. An arbitrator may be selected by mutual agreement by the Union and the County from local attorneys registered with the State Bar. Should the parties fail to agree on an arbitrator, they shall make a joint request to the State or Federal Conciliation Service for a list of five (5) qualified arbitrators from Del Norte or Humboldt Counties. If five (5) are not available, the remaining slots shall be qualified arbitrators who reside in Northern California or Southern Oregon. The arbitrator shall be selected from a list by the parties alternately striking names, with the opportunity to strike first determined by chance.

All documentation supporting the parties' positions shall be filed at least ten (10) days before the hearing with the arbitrator.

The arbitrator shall not have the power to alter, amend, change, add to, or subtract any of the terms of this Memorandum of Understanding. The decision of the arbitrator shall be based solely upon the evidence and arguments presented to the arbitrator by the respective parties. The decision of the arbitrator shall be final and binding upon the parties.

The cost of employing the arbitrator shall borne equally by all parties. All other costs such as, but not limited to attorney's fee and witness fees shall be borne only by the party incurring that costs.

Court Reporter/Transcript Fees : If a court reporter is requested, the requesting party is obligated to pay for the services of the reporter. Cost of transcript copies shall be borne by those parties requesting copies.

All other language remains the same in Article 11.

The Union has a right to add to or modify the proposals during these negotiations.

For the Union

For Del Norte County