

Section IV: Guidelines Grievance Meeting

I. Preparation and Participation by Grievant:

- A. Grievant on Texas Department of Criminal Justice (TDCJ) Payroll: If you have not been separated from employment, you may use state resources to prepare for the scheduled grievance meeting. However, if you have restricted access to your unit or department because you are in a suspension without pay status, you may not access your unit or department for the purpose of using state resources to prepare for the grievance meeting.

Your appearance at the grievance meeting shall be considered official business if you are on the TDCJ payroll at the time of the meeting. If you require the use of state time to attend the scheduled grievance meeting, you shall give your supervisor sufficient advance notice to allow management to ensure adequate staffing. Any reasonable and necessary expenses in connection with your attendance at the grievance meeting shall be reimbursed in accordance with state travel regulations and TDCJ travel guidelines.

- B. Grievant not on TDCJ Payroll: If you have separated from employment prior to the time of the grievance meeting, you shall not be paid for your time or expenses in connection with preparation for or participation in the grievance meeting.

- II. Participation by a Representative: The representative you identified on the [PERS 155](#), Employee Grievance Form, when you submitted your grievance may assist in the presentation of the grievance at the grievance meeting. The representative, whether a TDCJ employee or other individual, may not use state resources during any point of the grievance process. An employee who is acting as a representative shall not spend paid time preparing for a grievance meeting. It is your responsibility to notify your representative regarding the date and time of any grievance meeting.

The TDCJ will not pay compensation or reimburse the expenses of a representative, whether a state employee or someone from outside state service. Appearance as a representative at a grievance meeting is not official business. If an employee acting as a representative attends a grievance meeting held during working hours, the employee shall obtain prior approval to take accrued leave or, if accrued leave is not available, leave without pay to attend the grievance meeting.

- III. Participation by Witnesses: The witness(es) you identified on the PERS 155 when you initially submitted the grievance may appear at the grievance meeting to provide testimony. No act of reprisal shall be taken against any employee who testifies in a grievance meeting.

Service as a witness shall not be considered official business unless the responding authority requests the presence of the witness. An employee who participates as a witness in a grievance meeting shall give the employee's supervisor sufficient advance notice to provide adequate staffing. Any reasonable and necessary expenses in connection with attendance at the grievance meeting as requested by the responding authority shall be reimbursed in accordance with state travel regulations and TDCJ travel guidelines. The TDCJ shall not pay for the time or travel of a witness who is not a TDCJ employee at the time of the grievance proceeding.

You may obtain a statement from the witness prior to the meeting for presentation on your behalf. However, the TDCJ is under no obligation to interview character witnesses or witnesses with "hearsay" information.

- IV. Conduct by Participants: All participants in a grievance meeting shall conduct themselves in a professional manner. The failure to do so shall be grounds to terminate the grievance meeting, in which case the grievance shall be decided on the basis of the written grievance and the information obtained prior to the termination of the grievance meeting. Misconduct by yourself, your representative, or a witness shall also be grounds to disqualify the offending individual from participating in future grievance meetings.

- V. Recording of a Grievance Meeting: The steps of the grievance procedure are intended to be a problem-solving process for addressing grievances. The use of recording devices at a grievance meeting held at any step creates an adversarial atmosphere that is in direct conflict with the purpose of the problem-solving approach. Therefore, audio taping, videotaping, or written recording of a grievance meeting shall not be permitted; however, informal note taking is allowed. Americans with Disabilities Act (ADA) accommodation: You shall notify the TDCJ accommodation coordinator, Employee Relations, Human Resources Division, if you require an accommodation.