

THIRD STEP HEARINGS

PROCEDURES AND FREQUENTLY ASKED QUESTIONS

The County's grievance procedures include multiple steps. Each step in the process is to give the employee and management an opportunity to resolve the grievance informally. The third step in that process is managed by the Bureau of Human Resources (BHR). When a grievance reaches the third step, BHR assigns a hearing officer to hear the grievance.

The process may be different for union employees, please refer to the collective bargaining agreement for your union for details on the grievance process. The collective bargaining agreements can be found on the County's website at:

<https://www.cookcountyil.gov/service/collective-bargaining-agreements>.

1. Grievance Steps Prior to the Third Step

Step One: The grievance must be filed within 30 calendar days from the occurrence giving rise to the grievance or from the date the employee should have known of the occurrence giving rise to the grievance. The employee must complete a Grievance Form indicating the nature of the grievance and the resolution sought and have the grievance recorded in BHR. The employee must present the Grievance Form to his or her supervisor; the supervisor must then meet with the employee within 5 calendar days to discuss the grievance.. The supervisor must provide a response to the employee on the Grievance Form within 5 calendar days of the meeting. If the employee does not agree with the answer provided by the supervisor or no answer is provided by the supervisor, the employee may advance the grievance to Step Two within five calendar days.

Step Two: To advance the grievance to Step Two, the employee must check on the Grievance Form that the answer is not satisfactory, write the date, and sign the form.

Within 5 calendar days, the employee must present the grievance to the department head. The department head must then meet with the employee to discuss the grievance within 5 calendar days

For CCHHS employees, the employee must file a copy of the grievance with the Affiliate BHR. The department head must then meet with the employee to discuss the grievance within 10 calendar days.

For County and CCHHS employees, the department head must respond on the Grievance Form within 10 calendar days of meeting with the employee. If the employee does not agree with the result in Step Two, the grievance may be advanced to Step Three within 5 calendar days for County grievances. For CCHHS grievances, if the response is not satisfactory or no written response is provided within the time period, the employee may advance the grievance to Step Three.

2. The Third Step Hearing

The Third Step hearing process begins when an employee or union official advances the grievance beyond Step Two. The employee must write a letter to the BHR Chief stating that the Step Two answer was unsatisfactory, including specific reasons for such, and request a third step hearing. The request for a Third Step hearing can be sent by email to thirdstepdemands@cookcountyil.gov. A request can also be mailed or returned in person to:

Cook County Labor and Employee Relations
118 N. Clark Street – Room 833
Chicago, Illinois 60602

Upon receipt of the grievance, the Hearing Officer will contact you, your department and your union, if applicable, in order to schedule the hearing. After the hearing is scheduled, a confirmation will be sent to you, letting you know when and where the hearing will be held. The Hearing Officer will instruct you to provide, prior to the hearing, any relevant documents to the Hearing Officer and identify any persons, including witnesses and attorneys, that will attend the hearing.

At the hearing, the Hearing Officer will allow the employee and the department to make a general statement regarding the alleged violation; present witnesses, documents and arguments; state the remedy sought; and make closing remarks. If the grievance is regarding discipline issued against you, your department will present its side of the case first and has the burden of proof to show that there was just cause to issue the discipline. If the grievance alleges a violation of the union contract, your union will normally present first and has the burden of proof to establish the violation occurred. However, the order of presentation may change at the discretion of the Hearing Officer..

Please bring any information, documents, and witnesses you believe support your arguments to the hearing. The Hearing Officer may allow you to provide additional documents to support your arguments within one week following the hearing date.

After the hearing, the Hearing Officer will consider the information and arguments presented by your department, you and your union, if applicable. The Hearing Officer will make a decision and send his or her decision to you within thirty (30) days.

FREQUENTLY ASKED QUESTIONS

1. Can I have a representative at the hearing?

Yes, you may have a representative of your choosing at the hearing. That can be an attorney or a union representative, if applicable.

2. Can I get a continuance (delay) of the hearing?

Any party may request a continuance of the hearing for good cause.

3. What happens if the Hearing Officer agrees with my grievance?

The Hearing Officer can overturn your discipline, lessen your discipline, or recommend to the using department that they correct any contract violations.

4. What can I do if disagree with the Hearing Officer's decision?

For non-union employees, the decision of the Hearing Officer is final. For union employees, please refer to your collective bargaining agreement.