

Policy Title: Alternative Dispute Resolution

Policy Number: 634.00

Effective Date: August 7, 2014

Revision Number:

Revision Date:

Authority: Franklin County Commissioners

- I. **PURPOSE:** Most conflicts and differences of opinion can be resolved by the employee and supervisor directly confronting issues and jointly exploring alternatives. In cases where conflicts cannot be mutually resolved, Franklin County (FC) has established an alternative dispute resolution (ADR) procedure for Merit Hire employees.

NOTE: An employee may process his/her grievance through the Issue Resolution procedure or the ADR procedure. If an issue is processed under the Issue Resolution procedure, the employee shall not be entitled to institute proceedings under the ADR procedure.

- II. **SCOPE:** FC recognizes the importance of providing a prompt and efficient procedure for fair and equitable resolutions of areas of conflict without fear of prejudice or reprisal for initiating a complaint or participating in its settlement. To the extent possible, all complaints should be settled through informal discussions at the lowest administrative level, and disputed matters should be processed in a more formal matter only when either party feels that a fair and equitable solution has not been reached in the informal discussions.

- III. **PROCEDURES:** Regardless of any informal attempt to resolve areas of conflict, employees have the explicit right to pursue the five-step ADR procedure which covers the following employment actions: demotion, suspension, reduction in pay, non-selection and discharge which they believe to be arbitrary or discriminatory. It is Franklin County's policy to maintain a work environment which is free of harassment or discrimination because of sex, race, religion, color, national origin, physical or mental disability, genetic information, marital status, age, sexual orientation, gender identity or any other status protected by Federal, State or local laws.

TIMELINESS

All disputes must begin at the first step within seven (7) business days of the time the employee knows, or should have known, of an action or issue that can be raised through the ADR procedure. The timelines outlined in the following steps should be considered the maximum, as every effort should be made to ensure prompt and efficient consideration at each and every stage.

SPECIAL PROVISIONS

A. Applicants: FC is committed to maintaining the integrity of the application process and ensuring the equal treatment and consideration of all applicants, e.g. individuals who have applied for a job but were not selected. Therefore, an applicant for a position in a FC department who is subject to non-selection which they believe to be unreasonably arbitrary

or discriminatory as defined above may avail themselves of the ADR procedure. Notice of an applicant's intent to pursue the ADR procedure must be provided, in writing and utilizing the attached form, to the Human Resources Department within seven (7) business days of the time the applicant knows, or should have known, of an action or issue that can be raised through the ADR procedure. Unless otherwise specified, applicant grievances will begin at the third step as defined below in the third step (Human Resources Investigation and Review).

B. Direct Appeal: FC remains committed to the transparency and integrity of the entire ADR process as written, and has intentionally crafted a series of steps that escalate both in authority and accountability. As such, FC would strongly encourage employees and applicants to avail themselves of the entire procedure; however, employees and applicants do have the option to appeal directly to the panel described in the fifth step (Panel Review) and waive the first four steps in the process. The decision to waive steps one through four must be provided in writing to the Human Resources Department within seven (7) business days of the time the employee knows, or should have known, of an action or issue that can be raised through the ADR procedure.

STEPS OF THE ADR PROCEDURE

A. Initiating an ADR Request: An employee or applicant may utilize the attached form to initiate an ADR request at the first step. The attached form must be utilized for an appeal of the first step response. The form must state the claim, the facts in support of the claim and the relief requested.

NOTE: The employee or applicant is responsible for having the issue/dispute/appeal delivered to the proper person or office within the time periods, as specified.

B. First Step: Immediate Supervisor: Within seven (7) business days of the time that the employee knows, or should have known, of an action or issue in dispute, the employee must advise his or her immediate supervisor that he or she is initiating an ADR request. The employee must notify the supervisor in writing, and must advise the supervisor of the specific issue in dispute, the facts in support of the employee's position, and the remedy requested. The supervisor shall forward this information to HR within one working day. The supervisor is responsible for scheduling a meeting with the employee within seven (7) business days of the receipt of the complaint to facilitate discussion of the employee's request. Notice of the meeting date and time shall be provided to HR. Within seven (7) business days of the discussion, the supervisor is responsible for responding to the employee's request. The supervisor shall include notice to the employee of his or her right to appeal the dispute to the second step. This information shall be provided to HR within one work day. Should the issue or dispute involve alleged discrimination by the immediate supervisor and/or the department head, the ADR request may be submitted directly at the second or third step respectively.

C. Second Step: Department Head: If the employee finds the first step response unsatisfactory, the employee may appeal the dispute in writing to the department head within seven (7) business days of receipt of the first step response. The second step appeal

must state the specific issue in dispute, facts in support of the employee's position, the reasons the first step response is unsatisfactory, and the remedy requested. Copies of the first step correspondence must be included. Once received by the department head this information shall be provided to HR within one work day.

The department head shall, with due consideration of the facts and circumstances of the dispute, meet with the employee in an effort to resolve the dispute at this level. Notice of the meeting date and time shall be provided to HR. Within seven (7) business days following the discussion, the department head shall, in writing, grant, deny, or propose a modification to the requested remedy. This response shall include notice of the employee's right to appeal the dispute to the third step. This information shall be provided to HR within one work day.

D. Third Step: Human Resources Investigation and Review: If the employee finds the second step response unsatisfactory, the employee may appeal the dispute in writing to the Human Resources Director or designee within seven (7) business days of receipt of the second step response. The third step appeal must state the specific issue in dispute, the facts in support of the employee's position, the reasons why the second step response is unsatisfactory, and the specific remedy requested. Copies of the second step correspondence must be included.

Human Resources, in addition to considering the facts and circumstances of the dispute, shall conduct a thorough and complete investigation, including the solicitation of oral and/or written statements from persons of interest in the dispute. Within seven (7) business days of the conclusion of the review and investigation, Human Resources shall, in writing, grant, deny, or propose a modification to the requested remedy. This response shall include notice of the employee's right to appeal the dispute to the fourth step.

E. Fourth Step: County Administrator/Designee: If the employee finds the third step response unsatisfactory, the employee may appeal the dispute in writing to the fourth step. This appeal must be submitted in writing to Franklin County's Administrator or their Designee within seven (7) business days of receipt of the third step response. This appeal must state the issue in dispute, the facts in support of the employee's position, the reasons why the third step response is unsatisfactory, and the remedy requested. Copies of the third step correspondence must be included.

Within ten (10) business days after receipt of Fourth Step appeal, the County Administrator or designee will review the appeal to determine whether time limits and procedural steps were followed. Having determined that the ADR procedure has been followed, the Administrator or their designee shall, in writing, grant, deny, or propose a modification of the requested remedy. This response shall include notice of the employee's right to appeal the dispute to the fifth step of the process. Should the Administrator determine that the employee did not follow the time limits and/or procedural steps of the ADR procedure, he or she will notify the employee, in writing, of the administrative faults. Any administrative faults caused by the employee shall render the appeal null and void.

F. Fifth Step: Panel Review: If the employee finds the fourth step response unsatisfactory, the employee may appeal the dispute to the fifth and final step. This appeal must be submitted in writing to the Director of Human Resources within ten (10) business days of receipt of the fourth step response. This appeal must state the issue in dispute, the facts in support of the employee's position, the reasons why the fourth step response is unsatisfactory, and the remedy requested. Copies of the fourth step correspondence must be included.

NOTE: As articulated in Section III-B (Direct Appeals), an employee or applicant has the ability to appeal directly to the fifth and final step of the ADR procedure, provided that a timely written waiver of steps one through four is provided to the Human Resources Department replete with a fully executed ADR request form describing the claim, the facts in support of the claim and the relief requested.

Upon receiving the appeal and determining that the appeal was made timely, the Board of Commissioners shall appoint a panel of three (3) members - one (1) Human Resources professional from the private sector, one (1) Human Resources professional from the public sector who is not in any way affiliated or under the employment of Franklin County, and one (1) Human Resources professional from an educational institution. The panel shall be appointed for a fixed term of two (2) years, and will remain in place for any and all appeals that may arise during that term unless in the event of a clear and articulable conflict of interest in a given appeal, at which time the panel member would be replaced with a similarly qualified individual for the purposes of that appeal. Additionally, to ensure the autonomy of the panel, it will also have the authority to hear any case at its sole discretion, whether or not it has gone through steps one through four.

The administrative review panel shall conduct a hearing on the complaint and will provide the opportunity for all parties involved to provide testimony relevant to the matter in dispute. Transcription of these proceedings can be made available at a cost to be evenly divided between the grievant and Franklin County. The panel shall render a binding decision in writing to the Board of Commissioners within twenty (20) business days of the hearing.

V. **ATTACHMENTS** – None.

VI. **CROSS REFERENCE** – None.

VII. **CONTACT INFORMATION/PROPONENT OFFICE:** Human Resources Department.

VIII. **ADDENDUMS/AMENDMENTS** – Addendum I (ADR Hearing Instructions)
Addendum II (ADR Date Checklist)
Addendum III (ADR Communicative Form)

*The Board of Commissioners reserves the right to terminate or amend this policy, at any time, without liability to any person who may be affected by such termination or amendment. No

employee shall have any vested right to the continuance of this policy or have the same continued.

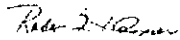
*Employees whose terms and conditions of employment are covered by a collective bargaining agreement will be covered by such terms and conditions of the contract. This policy is not intended to supersede or override any provisions of their collective bargaining agreement. In addition, this policy will apply to those employees who are members of a collective bargaining unit subject to negotiations except as may be modified by a collective bargaining agreement reached with the bargaining unit.

ADOPTED THIS 7th DAY OF AUGUST, 2014

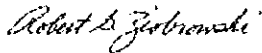
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Alternative Dispute Resolution Hearing Instructions

1.0 General.

Hearings granted to employees due to furlough, resignation, removal, suspension, or from individuals alleging discrimination shall be public hearings. The Franklin County Department of Human Resources shall, within 60 days of receipt of the request for hearing, fix a date for said hearing. At least 10 business days in advance of the date of the hearing notice shall be tendered in writing to the individual affected and to Franklin County Government and others interested in the case, informing them of the date, time, and place of the hearing. Notice of the hearing shall be posted on a bulletin board or other similar location in or near the office of the Franklin County Department of Human Resources. The Alternative Dispute Resolution (ADR) Panel may grant requests for continuances. The ADR Panel, on its own motion, may grant a continuance if the scheduled hearing lasts longer than two (2) hours.

2.0 Requests.

(a) Requests for hearings shall be:

- (1) Made in writing consistent with the Franklin County Government ADR Procedure.
- (2) Personally signed by the individual appealing.
- (3) Received or postmarked within ten (10) business days of the individual's receipt of the fourth step response, as specified in the Franklin County Government ADR Procedure, unless the appeal is made directly to the fifth step as outlined Franklin County Government ADR Procedure.

(b) The person appealing shall clearly and concisely state:

- (1) Grounds or basis for the appeal.
- (2) Facts relied upon.
- (3) Relief sought.

(c) Appeals alleging discrimination which do not include specific facts relating to discrimination may be dismissed. Specific facts which should appear on the ADR Communication Form include:

- (1) The acts complained of.
- (2) How the treatment differs from treatment of others similarly situated.
- (3) When the acts occurred.

(4) When and how the appellant first became aware of the alleged discrimination.

(d) Acceptance of an amendment to an ADR Communication Form is strictly at the discretion of the ADR Panel.

3.0 Form of hearing.

(a) The hearing shall be formal, but not all of the strict rules of evidence need be enforced. Evidence offered should be the best evidence available. Any document(s) which constitute reliable evidence or whose contents or meaning are in dispute should be brought to the hearing and entered into evidence. Whenever possible, the original document(s) should be available to be offered into evidence.

(b) A complete stenographic, electronic, or other exact record of the proceedings shall be made. The ADR Panel may prohibit the use of mechanical and electronic recording devices if the use of the devices will disrupt or otherwise interfere with the proceedings.

(c) Any member of the ADR Panel may conduct hearings.

4.0 Legal representation.

(a) Franklin County Government shall be represented by counsel presently admitted to practice before the Supreme Court of Pennsylvania.

(b) Appellants may represent themselves, or may be represented by anyone presently admitted to practice before the Supreme Court of Pennsylvania. This does not prohibit representation on behalf of either Franklin County Government or an appellant by a legal intern certified under the Pennsylvania Bar Admission Rules.

(c) A person other than one noted in subsection (b) will not be permitted to represent an appellant at a hearing of the ADR Panel.

(d) In all cases, where a legal representative represents either party, notices of the date of the hearing and of the decision, and other communication arising from the case, shall be directed to the legal representative. The communication shall have the same force and effect as though personally given to the represented party.

5.0 Subpoenas.

(a) Procedure for requesting subpoenas.

(1) Subpoenas for the attendance of witnesses or for the production of documents will be issued only upon written application to the ADR Panel with a copy to the opposing party.

(2) Written application shall specify as clearly as possible the relevance of the testimony or documentary evidence sought. As to documentary evidence, the request must specify to the extent possible the documents desired and the facts to be provided thereby.

(3) Failure to adhere to the requirements of this subsection may result in refusal by the ADR Panel to issue the requested subpoenas.

(b) Service.

(1) A subpoena shall be served personally upon the witness.

(2) Subpoenas for the production of documents shall be served personally or by first-class mail upon the individual in possession of the documents, if known, or the agency head, who may designate a knowledgeable alternate as custodian of the documents.

(3) Service of subpoenas for the attendance of witnesses shall be made at least forty-eight (48) hours prior to the hearing, unless the witness agrees to waive the forty-eight (48) hour requirement. Subpoenas for the production of documents shall be served no later than five (5) business days prior to the date of the hearing.

(4) Failure to adhere to the requirements of this subsection may result in a ruling by the ADR Panel denying the enforceability of the subpoena.

6.0 Depositions and discovery.

(a) Depositions. At the discretion of the ADR Panel, depositions – statements of witnesses under oath – may be transcribed and submitted in lieu of testimony at the hearing, where the witness will be unavailable to testify at hearing because of unavoidable absence from the jurisdiction, illness, or other compelling reasons. The cost of depositions shall be borne by the requesting party.

(b) Discovery of documents. At the discretion of the ADR Panel, relevant documents may be obtained from an opposing party prior to the hearing.

(1) Requests for discovery of documents shall be in writing and shall initially be served upon the opposing party or legal representative in sufficient time to allow completion of discovery prior to the hearing.

(2) If the parties are unable to agree upon a reasonable scope of discovery, requests for discovery may then be forwarded in writing to the ADR Panel, which may, at its discretion, issue appropriate subpoenas under this section.

(c) Witness list. Each party shall attempt to determine witnesses they intend to call at the hearing and the names shall be provided to the ADR Panel no later than three (3) business days in advance of the hearing, with a copy to the opposing party. Calling a witness whose name does not appear on the list may be permitted at the discretion of the ADR Panel.

7.0 Settlement.

(a) Parties, at their discretion, may enter into agreements to settle or otherwise terminate a proceeding before the ADR Panel at any point in the process prior to adjudication. All parties shall notify the ADR

Panel in writing in a timely manner of a settlement agreement. Upon receipt of notice from the appellant or the appellant's legal representative, an appeal shall be deemed withdrawn.

(b) Unless the ADR Panel is requested to review and approve the settlement, the ADR Panel will not be responsible for the enforcement of a settlement agreement.

8.0 Pre-hearing conferences.

(a) Pre-hearing conference. To facilitate the submission and consideration of issues and facts, the ADR Panel may schedule a pre-hearing conference and request the parties to participate in the proceeding. The conference may be conducted in person or by telephone, to consider the following:

- (1) Simplification of the issues.
- (2) Stipulations of fact and authenticity of documents.
- (3) Admissibility and relevance of witness testimony.
- (4) Admissibility and relevance of exhibits, which will be identified and exchanged at the conference.
- (5) Subpoenas and all issues related to subpoenas.
- (6) Offers of settlement or proposals for adjustment, if appropriate.
- (7) Other matters that would facilitate the efficiency of the proceeding.

(b) Pre-hearing conference memorandum. No later than three (3) business days in advance of the pre-hearing conference, the parties will submit to the ADR Panel an original memorandum, plus two (2) copies, with a copy to the opposing party, that contains the following:

- (1) Caption identifying the parties and the appeal by its assigned appeal number.
- (2) Statement of issues to be decided by the ADR Panel. If a party intends to move the ADR Panel to dismiss the appeal, that issue should be noted, but a Motion to Dismiss must be separately filed.
- (3) Statement of stipulations, or facts not in dispute, that includes requested stipulations of fact and any agreements already reached by the parties regarding undisputed facts.
- (4) Witness list with brief description of testimony of each witness listed.
- (5) Exhibit list with brief description of exhibits and a brief explanation of the relevance of each exhibit listed.
- (6) Estimate of time required to complete presentation of evidence to the ADR Panel.
- (7) Requests for subpoenas may be included with the memorandum.

(8) At the hearing, the parties may be limited to those witnesses and exhibits set forth in the memorandum unless one (1) or more of the following apply:

(i) A supplemental memorandum is submitted to the ADR Panel, with a copy to the opposing party, at least one (1) business day prior to the hearing.

(ii) There has been proper notice to other parties and there is no showing of undue inconvenience or prejudice.

(iii) The parties have conferred and agree to the additional witnesses or exhibits, or both.

9.0 Procedure for hearings on furlough, resignation, removal, or suspension.

(a) Franklin County Government bears the burden of proof and shall go forward to establish by a preponderance of the evidence the charge or charges on which the personnel action was based. If, at the conclusion of its presentation, Franklin County Government has, in the opinion of the ADR Panel, established a prima facie case, the appellant shall then be afforded the opportunity of presenting a case.

(b) If, after due notice, the appellant fails to appear at the scheduled hearing, Franklin County Government has no burden to go forward and the appeal may be dismissed without the presentation of evidence.

(c) While in each case the ADR Panel may adapt the procedures and conduct of the hearing in accordance with the requirements of justice and due process, generally the routine shall follow the following order:

(1) The presiding ADR Panel member shall open the hearing and shall enter as exhibits a copy of the document initiating the action taken by Franklin County Government, the ADR Communication Form of the appellant, and evidence of proper notification to all parties in interest.

(2) The parties shall, subsequent to the presiding ADR Panel member's introduction of documents, present any preliminary motions.

(3) Franklin County Government shall call witnesses to testify after being sworn by the presiding ADR Panel member.

(4) Franklin County Government may, through witnesses or by stipulation, offer any other relevant evidence for introduction into the record.

(5) Franklin County Government shall cite all relevant provisions of law and all relevant rules and regulations.

(6) The appellant may object to questions directed to witnesses and to the introduction of any evidence offered.

- (7) The appellant shall be allowed reasonable opportunity to cross-examine witnesses.
- (8) At the conclusion of Franklin County Government case, the appellant may move to dismiss on the ground that no prima facie case has been established.
- (9) If no motion to dismiss is made, if the motion is denied, or if the ADR Panel defers ruling on the motion, the appellant may present the defense by the testimony of witnesses, the introduction of relevant evidence, and the citation of relevant provisions of law, rules, or regulations.
- (10) Franklin County Government may object to questions directed to witnesses and to the introduction of any evidence offered.
- (11) Franklin County Government shall be allowed reasonable opportunity to cross-examine the witnesses.
- (12) When all evidence has been introduced, the ADR Panel shall hear oral argument, unless the parties request to file briefs.
- (13) The transcript of the record will be made available to the ADR panel. A copy of the transcript shall be available for purchase by either party at the rate established by the stenographer assigned to record the hearing.
- (14) The parties may submit briefs within a period of time fixed by the ADR Panel. Failure by either party to file its brief within the fixed time may lead to the refusal by the ADR Panel to consider the brief in making its decision.
- (15) The record shall be considered as closed upon receipt of transcripts, depositions, and briefs and the hearing shall be deemed concluded at that time. The ADR Panel will determine the facts upon the evidence of record and decide relevant questions of law within twenty (20) business days after the closing of the record.
- (16) A copy of the adjudication in writing, containing findings and reasons, shall be prepared as a decision of the ADR Panel, and, when signed by a minimum of two (2) of the members of the ADR Panel, shall be final. A copy of the adjudication will be sent to Franklin County Government and the appellant. Said adjudication will be final and binding.

10.0 Procedure for hearing on discrimination.

- (a) The appellant bears the burden of proof and shall go forward to establish by a preponderance of the evidence the charge or charges of discrimination. If at the conclusion of this presentation, the appellant has, in the opinion of the ADR Panel, established a prima facie case, Franklin County Government shall then be afforded the opportunity to reply to the charges.

(b) Apart from the order of going forward, the remainder of the procedure shall follow that prescribed in Section 9.0 (relating to procedure for hearings on furlough, resignation, removal, or suspension). If an appellant fails to attend the hearing, the appeal may be immediately dismissed for failure to prosecute.

DOCUMENTARY FILINGS

11.0 Notice of appearance.

(a) Legal representatives for Franklin County Government or appellants in appeals or hearings held under these rules shall file a Notice of Appearance with the ADR Panel, prior to the time of the hearing, if possible.

12.0 Exhibits.

(a) Parties presenting exhibits shall bring six (6) copies to the hearing.

13.0 Briefs.

(a) The parties will be notified of the procedure and schedule for the submission of briefs. Parties submitting briefs shall submit the original and five (5) copies to the ADR Panel at the location specified by the ADR Panel. Briefs filed outside of the time period, sequence, or location specified will be considered only at the discretion of the ADR Panel.

14.0 Form of documents.

(a) Typewritten. Pleadings, submittals, briefs, or other hearing-related documents filed with the ADR Panel, if not printed, shall be typewritten on letter size paper, eight and one-half (8½) inches wide by eleven (11) inches long, with left hand margin not less than one and one-half (1½) inches wide and other margins not less than one (1) inch. The impression shall be on only one side of the paper unless there are more than four (4) pages and shall be double spaced except that quotations in excess of five (5) lines shall be single spaced and indented not less than four (4) spaces.

(b) Printed. Printed documents shall be not less than ten (10) point type on unglazed paper eight and one-half (8½) inches wide by eleven (11) inches long, with inside margin not less than one (1) inch wide and with double spaced text and single spaced, indented quotations.

(c) Binding. Pleadings, submittals, briefs, and other hearing-related documents other than correspondence shall be bound on the left side only.

(d) Paper color. Pleadings, submittals, briefs, and other hearing-related documents other than correspondence shall be on white paper.



Franklin County
ALTERNATIVE DISPUTE RESOLUTION
 Communication Form

I. Dispute

Appellant's Full Name:	Employee ID#	Job Title/Position Sought:
Department: <input type="checkbox"/> Check this box if you are an applicant seeking employment with Franklin County and are appealing non-selection. NOTE: Applicant requests for appeal must be submitted to Human Resources within seven (7) business days.		
Home Address:	Work Telephone No. () - ext. Home E-mail Address:	Home Telephone No. () - ext. Home E-mail Address:
Date Incident Occurred:		Witnesses:
The issues are (use attachments if necessary):		
The facts supporting this are (use attachments if necessary):		
The relief I want is (use attachments if necessary):		
Date:	Applicant's Signature:	
<i>Requests for ADR must be presented to the immediate supervisor within seven (7) business days. If the dispute alleges discrimination or retaliation by the immediate supervisor, the ADR request may be submitted directly at the second step. The ALTERNATIVE DISPUTE RESOLUTION Procedures contain complete instructions.</i>		
<input type="checkbox"/> Pursuant to Section II-B of the ALTERNATIVE DISPUTE RESOLUTION Procedure, I hereby waive my right to proceed through ADR Steps One through Four and opt instead to proceed directly to panel review described in the fifth step (Sec. III-F). NOTE: <i>Requests for direct appeal to the fifth step must accompany this form in writing and be presented to Human Resources within fifteen (15) business days.</i>		

II. First Step

Date Received:		
Response (use attachments if necessary):		
Date:	First Step Respondent's Signature:	Telephone No.: () - ext.
Date Received: _____ Appellant's response (check one): <input type="checkbox"/> I accept the step one response and am returning the ADR Request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the second step. <input type="checkbox"/> I opt to waive steps two through four and advance my ADR Request directly to the fifth step.		
Appellant's reasons for further appeal (use attachments if necessary):		
Date:	Appellant's Signature:	
NOTE: The appellant is responsible for having the ADR Request delivered to the proper person or office.		

III. Second Step

Date Received: _____		
Response (use attachments if necessary): 		
Date:	Second Step Respondent's Signature:	Telephone No.: () - ext.
Date Received: _____		
Appellant's response (check one):		
<input type="checkbox"/> I accept the step two response and am returning the ADR Request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the third step. <input type="checkbox"/> I opt to waive steps three and four and advance my ADR Request directly to the fifth step.		
Appellant's reasons for further appeal (use attachments if necessary): 		
Date:	Appellant's Signature:	
NOTE: The appellant is responsible for having the ADR Request delivered to the proper person or office.		

IV. Third Step

Date Received: _____		
Response (use attachments if necessary): 		
Date:	First Step Respondent's Signature:	Telephone No.: () - ext.
Date Received: _____		
Appellant's response (check one):		
<input type="checkbox"/> I accept the step three response and am returning the ADR Request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the fourth step. <input type="checkbox"/> I opt to waive step four and advance my ADR Request directly to the fifth step.		
Appellant's reasons for further appeal (use attachments if necessary): 		
Date:	Appellant's Signature:	
NOTE: The appellant is responsible for having the ADR Request delivered to the proper person or office.		

V. Fourth Step

Timeliness and Procedural Steps Followed?			
<input type="checkbox"/> Yes (Proceed to County Administrator) <input type="checkbox"/> No (Appeal deemed moot)			
Reasons (use attachments if necessary): 			
Date:	Executive Director/Administrator Signature:		
County Administrator Review:	Suggested Remedy (use attachments if necessary)		
<input type="checkbox"/> Relief Granted <input type="checkbox"/> Relief Denied <input type="checkbox"/> Remedy Suggested			
Date:	Signature:	Signature:	Signature:
Date Received: _____			
Appellant's response (check one):			
<input type="checkbox"/> I accept the step four response and am returning the ADR request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the fifth step.			
Appellant's reasons for further appeal (Use attachments if necessary): 			
Date:	Appellant's Signature:		

FRANKLIN COUNTY (FC)
ALTERNATIVE DISPUTE RESOLUTION (ADR) DATE CHECKLIST

Special considerations -

1. Applicants – Request must be submitted to HR within 7 business days of non selection (Applicants begin at the 3rd Step)

_____ Date Applicant notified of Non-Selection
_____ 7 business days from Notification
_____ Date of ADR Submission

Timely Submission YES – Proceed with ADR process.
NO – Time limits exceeded.

2. Direct appeal (waive Steps 1-4) – Request must be submitted to HR within 10 business days of action/issue

_____ Date of action/issue
_____ 10 business days from date of action/issue
_____ Date of ADR Submission

Timely Submission YES – Proceed with ADR process.
NO – Time limits exceeded.

STEP CHECKLIST

- 1st Step** – Request must be submitted to supervisor within 7 days of action/issue. Supervisor schedules meeting within 7 business days of receipt. Supervisor responds within 7 business days of meeting.

_____ Date of action/issue
_____ 7 business days from date of action/issue
_____ Date of ADR Submission

Timely Submission YES – Proceed with ADR process.
NO – Time limits exceeded.

_____ Date of Receipt of ADR 1st Step request.
_____ Date meeting scheduled (7 business days after receipt of request)
_____ Date of Supervisor response (7 business days after meeting with employee)

- 2nd Step** – Request must be submitted to Department head within 7 business days from Employee’s receipt of 1st Step response. Department Head must meet with employee. Department head must respond within 7 business days of meeting.

_____ Date of 1st Step response
_____ Employee receipt of 1st Step response
_____ 7 business days from Employee’s receipt of 1st Step response
_____ Date of 2nd Step ADR request (within 7 business days from Employee’s receipt of 1st Step response.)

Timely Submission YES – Proceed with ADR process.
NO – Time limits exceeded.

_____ Date of Receipt of ADR 2nd Step request.
_____ Date meeting scheduled
_____ Date of Supervisor response (7 business days after meeting with employee)

3rd Step – Request must be submitted to HR within 7 business days from Employee’s receipt of 2nd Step response. HR must conduct an investigation and respond within 7 days of the completion of the investigation.

- _____ Date of 2nd Step response
- _____ Employee receipt of 2st Step response
- _____ 7 business days from Employee’s receipt of 2nd Step response
- _____ Date of 3rd Step ADR request (within 7 business days from Employee’s receipt of 2nd Step response)

Timely Submission YES – Proceed with ADR process.

NO – Time limits exceeded.

- _____ Date of Receipt of ADR 3rd Step request.
- _____ Date Investigation started
- _____ Date Investigation ended
- _____ Date of HR response (7 business days after completion of investigation)

4th Step – Request must be submitted to FC Administrator within 7 business days from Employee’s receipt of 3rd Step response.

- _____ Date of 3rd Step response
- _____ Employee receipt of 3rd Step response
- _____ 7 business days from Employee receipt of 3rd Step response
- _____ Date of 4th Step ADR request (within 7 business days from Employee’s receipt of 3rd Step response)

Timely Submission YES – Proceed with ADR process.

NO – Time limits exceeded.

- _____ Date of Receipt of ADR 4th Step request.
- _____ Date request forwarded to County Administrator (within 10 days of receipt of 4th Step request)
- _____ Date of County Administrator response

5th Step – Request must be submitted to HR within 15 business days from Employee’s receipt of 4th Step response. Panel will conduct hearing and respond to Board of Commissioners within 20 days of the hearing.

- _____ Date of 4th Step response
- _____ Employee receipt of 4th Step response
- _____ 15 business days from receipt 4th Step response
- _____ Date of 5th Step ADR request (within 15 business days from Employee’s receipt of 4th Step response)

Timely Submission YES – Proceed with ADR process.

NO – Time limits exceeded.

- _____ Date of Receipt of ADR 5th Step request.
- _____ Date request forwarded to Panel
- _____ Date of Panel Hearing
- _____ Date of Panel response to Board of Commissioners (within 20 days of the Panel hearing)



Franklin County
ALTERNATIVE DISPUTE RESOLUTION
 Communication Form

I. Dispute

Appellant's Full Name:	Employee ID#	Job Title/Position Sought:
Department: <input type="checkbox"/> Check this box if you are an applicant seeking employment with Franklin County and are appealing non-selection. NOTE: Applicant requests for appeal must be submitted to Human Resources within seven (7) business days.		
Home Address:	Work Telephone No. () - ext. Home E-mail Address:	Home Telephone No. () - ext. Home E-mail Address:
Date Incident Occurred:		Witnesses:
The issues are (use attachments if necessary):		
The facts supporting this are (use attachments if necessary):		
The relief I want is (use attachments if necessary):		
Date:	Applicant's Signature:	
<i>Requests for ADR must be presented to the immediate supervisor within seven (7) business days. If the dispute alleges discrimination or retaliation by the immediate supervisor, the ADR request may be submitted directly at the second step. The ALTERNATIVE DISPUTE RESOLUTION Procedures contain complete instructions.</i>		
<input type="checkbox"/> Pursuant to Section II-B of the ALTERNATIVE DISPUTE RESOLUTION Procedure, I hereby waive my right to proceed through ADR Steps One through Four and opt instead to proceed directly to panel review described in the fifth step (Sec. III-F). NOTE: <i>Requests for direct appeal to the fifth step must accompany this form in writing and be presented to Human Resources within fifteen (15) business days.</i>		

II. First Step

Date Received:		
Response (use attachments if necessary):		
Date:	First Step Respondent's Signature:	Telephone No.: () - ext.
Date Received: _____ Appellant's response (check one): <input type="checkbox"/> I accept the step one response and am returning the ADR Request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the second step. <input type="checkbox"/> I opt to waive steps two through four and advance my ADR Request directly to the fifth step.		
Appellant's reasons for further appeal (use attachments if necessary):		
Date:	Appellant's Signature:	
NOTE: The appellant is responsible for having the ADR Request delivered to the proper person or office.		

III. Second Step

Date Received: _____		
Response (use attachments if necessary): 		
Date:	Second Step Respondent's Signature:	Telephone No.: () - ext.
Date Received: _____		
Appellant's response (check one):		
<input type="checkbox"/> I accept the step two response and am returning the ADR Request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the third step. <input type="checkbox"/> I opt to waive steps three and four and advance my ADR Request directly to the fifth step.		
Appellant's reasons for further appeal (use attachments if necessary): 		
Date:	Appellant's Signature:	
NOTE: The appellant is responsible for having the ADR Request delivered to the proper person or office.		

IV. Third Step

Date Received: _____		
Response (use attachments if necessary): 		
Date:	First Step Respondent's Signature:	Telephone No.: () - ext.
Date Received: _____		
Appellant's response (check one):		
<input type="checkbox"/> I accept the step three response and am returning the ADR Request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the fourth step. <input type="checkbox"/> I opt to waive step four and advance my ADR Request directly to the fifth step.		
Appellant's reasons for further appeal (use attachments if necessary): 		
Date:	Appellant's Signature:	
NOTE: The appellant is responsible for having the ADR Request delivered to the proper person or office.		

V. Fourth Step

Timeliness and Procedural Steps Followed?			
<input type="checkbox"/> Yes (Proceed to County Administrator) <input type="checkbox"/> No (Appeal deemed moot)			
Reasons (use attachments if necessary): 			
Date:	Executive Director/Administrator Signature:		
County Administrator Review:	Suggested Remedy (use attachments if necessary)		
<input type="checkbox"/> Relief Granted <input type="checkbox"/> Relief Denied <input type="checkbox"/> Remedy Suggested			
Date:	Signature:	Signature:	Signature:
Date Received: _____			
Appellant's response (check one):			
<input type="checkbox"/> I accept the step four response and am returning the ADR request to the Human Resources Office. <input type="checkbox"/> I advance my ADR request to the fifth step.			
Appellant's reasons for further appeal (Use attachments if necessary): 			
Date:	Appellant's Signature:		