STATE OF UTAH

CAREER SERVICE REVIEW OFFICE

2013 FISCAL YEAR ANNUAL REPORT

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STEPS AT WHICH GRIEVANCES RESOLVED

Not all grievances result in an evidentiary hearing. During fiscal year 2012-2013, there were a total of 101 grievances, filed by 96 employees.[1] 5 evidentiary hearings were held.[2] The CSRO tracks most grievances beginning at Step 1. By statute, grievances become eligible for advancement to the CSRO between Steps 3-4. But in many grievances, the CSRO has some involvement starting at Step 1. In Fiscal Year 2013 the CSRO had open files for all 101 grievances filed.

STEP		NO. OF RESOLVED GRIEVANCES
(1)	**Immediate Supervisor.**	**25**
(2)	**Agency/Division Director.**	**24**
(3)	**Department Head.**	**22**
(4*)	**CSRO[3].**	**22**
(4)	**Evidentiary Hearing.**	**5**
	Court of Appeals.	**3**
TOTAL.		**101**

[1]There were 101 grievances filed by 96 employees; 5 employees grieved multiple issues.

[2]Cases are not considered "resolved" within FY 2013 if the time for the parties to file an appeal with the Court of Appeals has not expired by the end of the fiscal year. Those cases will be considered resolved in FY 2014.

[3]These cases were advanced to Step 4 at the CSRO, but did not result in an evidentiary hearing because they were resolved in mediation, dismissed for lack of jurisdiction, or abandoned.

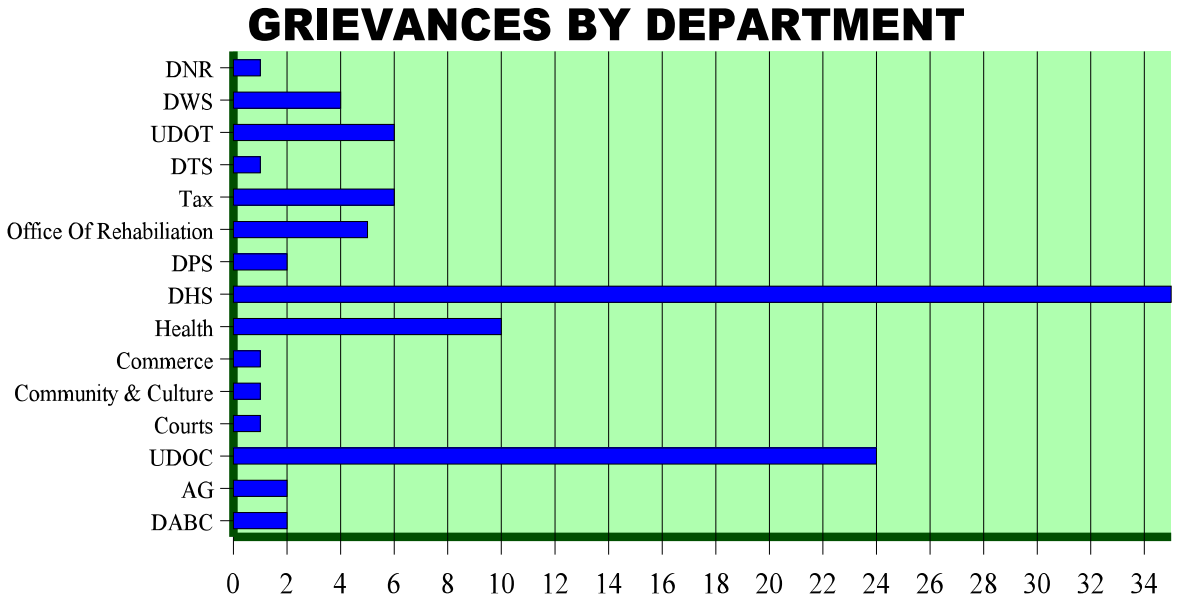
DISTRIBUTION OF GRIEVANCES

Note: under the CSRO rules there are only three *disciplinary* actions designated by statute: demotion, dismissal, and suspension (*Utah Code*, Section 67-19a-302(1)). No other issues qualify as *disciplinary* actions.

ISSUE GRIEVED	OCCURRENCES
Demotion	6
Dismissal	20
Harassment (retaliation)	8
Performance	1
Recruitment (position, promotion, pay, recruitment process, policy, procedure)	19
Suspension	21
Transfer (Reassignment)	1
Verbal Reprimand	1
Work condition (enviroment, schedule, dress code, travel, training, reimbursement)	10
Written Reprimand	6
Written Warning	8
TOTAL	**101**

GRIEVANCES BY DEPARTMENT

AGENCY	TOTAL GRIEVANCES
Alcohol and Beverage	2
Attorney General	2
Commerce	1
Community and Culture	1
Corrections	24
Courts	1
Health	10
Human Services	35
Natural Resources	1
Public Safety	2
Office of Rehabilitation	5
Tax	6
Technology Services	1
Transportation	6
Workforce Services	4
TOTAL	**101**



JUDICIAL REVIEW BY THE COURTS
CASES DECIDED DURING FY13

COURT OF APPEALS:

1. *Utah Department of Corrections v. Ronald W. Benson* Case No. 20120468

Step 5 Decision: Dismissal was upheld.
Board Decision: Dismissal was overturned.
Court of Appeals: The appeal was settled. This file was closed following receipt of the Appellate Court's *Order Granting Motion And Stipulation To Voluntarily Dismiss Petitions for Review; Order Dismissing Appeal*.

2. *Ronald Mayo v. Utah State Tax Commission* Case No. 20120614-CA

Step 4 Decision: Dismissal and suspension were upheld.
Court of Appeals: Petition for Review was dismissed for lack of jurisdiction (not timely filed). This case was closed following receipt of the Appellate Court's *Order of Summary Dismissal*.

JUDICIAL REVIEW BY THE COURTS
CASES PENDING DURING FY2013

1. *Dori Wintle-Butts v. Department of Technology* Case No. 20110574-CA

CSRO Decision: Jurisdiction denied and case dismissed by CSRO.

At the end of FY2013, this matter was still under advisement before the Utah Court of Appeals.

STATISTICAL SUMMARY OF ACTIVITIES FOR FY2013

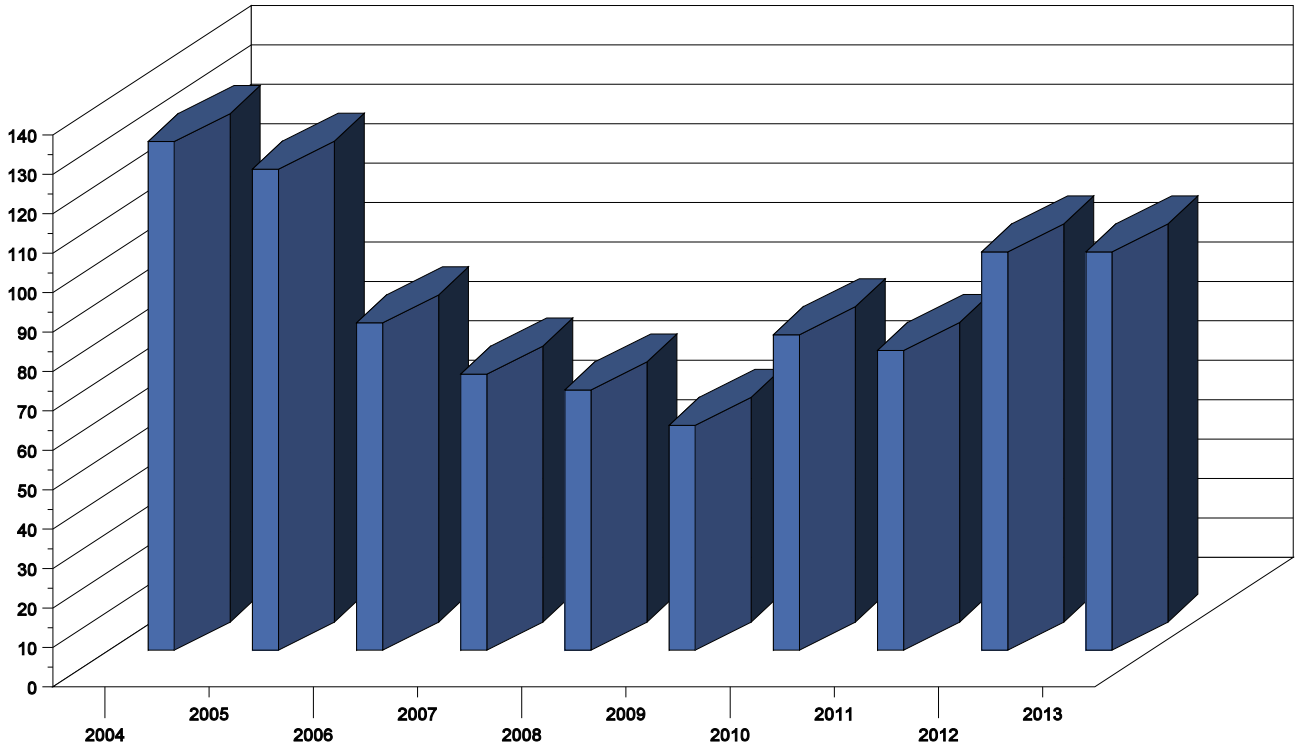
Grievance cases resolved in the CSRO forum. 27

Evidentiary Hearings held. 5

Cases resolved, mediated or otherwise settled. 9

Prehearing status conference summaries/orders issued. 14

Total files opened at the CSRO. 101

Jurisdictional Decisions issued. 7

ANNUAL COMPARISON OF GRIEVANCES FOR PAST TEN YEARS