18 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

389 BUREAU OF HUMAN RESOURCES

CHAPTER 13 Complaints, Grievances and Investigations

SUMMARY: This chapter presents the various mechanisms through which complaints and/or grievances of State employees may be discovered, filed and/or heard, and relates the investigatory and enforcement powers of the Director of Human Resources with respect to proper administration/application of the Civil Service Law and these rules.

1. POLICY

It shall be the policy of the State of Maine to attempt to anticipate grievances or to discover them as soon as they arise, to give employees an opportunity to discuss them with supervisors in whom they have confidence and to find mutually satisfactory solutions as rapidly as possible. In the presentation of grievances at any supervisory level, employees are insured freedom from restraint, interference, discrimination or reprisal.

2. LAW AND RULE ENFORCEMENT

The Director of Human Resources shall receive and consider any protests and any matter concerned with the administration of the act and these rules. On the basis of such protest, or as personally decided, the Director shall make such investigation as deemed desirable concerning all matters touching the enforcement and effect of the provisions of the Civil Service Law and these rules and regulations established thereunder.

NOTE: The following appeal mechanisms exist specifically to address the employment concerns of employees in the classified and unclassified services:

1. State Civil Service Appeals Board. This Board has authority to hear and rule on appeals of classification and/or allocation/reallocation actions taken by the Director of Human Resources. Procedures for hearing appeals of classification are on file with the Bureau of Human Resources.

2. State Civil Service Appeals Board. The Board may mediate grievances and disputes between classified employees and their respective state agencies for those employees who are not allowed to bargain pursuant to the State Employees Labor Relation Act.

3. Director of Human Resources. Employment concerns involving examination, examination administration, affirmative action, equal employment opportunity concerns, compensation, and/or possible violation of any law and rule governing merit system administration are heard and addressed by the Director of Human Resources.

STATUTORY AUTHORITY: 5 M.R.S.A. Ch. 372 §§ 7036, 7051, 7081-7085.

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