

AFTER THE CONCLUSION OF THE CONFERENCE.

(5) ~~STEP FIVE SHALL BE THE FINAL AND BINDING REVIEW. STEP FIVE.~~ IF THE DISPUTE IS STILL UNRESOLVED, THE GRIEVING EMPLOYEE SHALL HAVE THE RIGHT TO SUBMIT HIS GRIEVANCE SAID DISPUTE TO EITHER ARBITRATION OR TO THE SECRETARY OF PERSONNEL. IN EITHER CASE THE GRIEVANCE APPEAL MUST BE SUBMITTED WITHIN 15 DAYS AFTER THE RECEIPT OF THE WRITTEN DECISION AT STEP FOUR. IN THE EVENT OF ARBITRATION, THE PARTIES SHALL SELECT AN ARBITRATOR BY MUTUAL AGREEMENT. IF THEY ARE UNABLE TO REACH A MUTUAL AGREEMENT, AN ARBITRATOR SHALL BE SUPPLIED BY THE AMERICAN ARBITRATION ASSOCIATION IN ACCORDANCE WITH ITS PROCEDURES. ANY FEES RESULTING FROM ARBITRATION SHALL BE ASSESSED BY THE ARBITRATOR EQUALLY BETWEEN THE TWO PARTIES. ~~THE ARBITRATION AWARD SHALL BE BINDING ON ALL PARTIES~~ THE DECISION OF THE ARBITRATOR SHALL BE ADVISORY TO THE SECRETARY OF PERSONNEL AND NO ADDITIONAL APPEALS OR HEARINGS MAY BE CONSIDERED. ~~IN THE EVENT THE AGGRIEVED EMPLOYEE DOES NOT CHOOSE TO SUBMIT HIS GRIEVANCE TO ARBITRATION,~~ THE SECRETARY OF PERSONNEL SHALL MAKE THE FINAL DECISION WHICH SHALL BE BINDING ON ALL PARTIES.

55.

(A) A GRIEVANCE MAY START WITH A COMPLAINT OR REQUEST BY ANY EMPLOYEE COVERED BY THIS SUBTITLE. SIMILAR GRIEVANCES MAY BE CONSOLIDATED AND PROCESSED TOGETHER AS A SINGLE ISSUE. BY MUTUAL AGREEMENT, ANY STEP OR STEPS MAY BE BYPASSED.

(B) A RECORD OF EACH WRITTEN GRIEVANCE AND ITS DISPOSITION SHALL BE FURNISHED TO THE COMPLAINING EMPLOYEE AND ~~SHALL BE FILED AND AVAILABLE TO ANY EMPLOYEE OR DESIGNATED REPRESENTATIVE~~ OF HIS DESIGNATED REPRESENTATIVE AND SHALL BE FILED IN THE OFFICE OF THE SECRETARY OF PERSONNEL. THE SECRETARY OF PERSONNEL SHALL PROVIDE APPROPRIATE FORMS FOR THE FILING AND PROCESSING OF A GRIEVANCE.

(C) ~~EACH EMPLOYEE SHALL RECEIVE A COPY OF THIS PROCEDURE AS IT TAKES EFFECT OF WHEN HE IS FIRST EMPLOYED, AND IT SHALL BE POSTED IN EACH FACILITY.~~ EACH EMPLOYEE SHALL BE NOTIFIED OF THE LOCATION, AT THE WORK SITE, OF THE MERIT SYSTEM LAW, STATE EMPLOYEES PERSONNEL RULES AND AGENCY PERSONNEL REGULATIONS AND POLICIES.

(D) EVERY EFFORT SHALL BE MADE BY BOTH PARTIES TO RESOLVE THE GRIEVANCE AT THE LOWEST POSSIBLE LEVEL.

(E) FAILURE TO APPEAL CONSTITUTES ACCEPTANCE. FAILURE TO ANSWER IS A DENIAL FROM WHICH AN APPEAL MAY BE TAKEN. BY MUTUAL AGREEMENT, TIME LIMITS MAY BE WAIVED. AN APPEAL SHALL BE IN WRITING. THE ORIGINAL COPY OF THE WRITTEN APPEAL, SIGNED BY THE EMPLOYEE MUST BE FORWARDED TO THE NEXT STEP FOR CONSIDERATION.