

AN ORDINANCE TO AMEND THE PERSONNEL ORDINANCE (RESOLUTION) ADOPTED BY SURRY COUNTY BOARD OF COMMISSIONERS ON JULY 3, 1967 AND THE SEVERAL AMENDMENTS THERETO THE ORDINANCE RECORDED IN COMMISSIONERS MINUTE BOOK 11, PAGE 307 AND ORDINANCE BOOK , PAGES .

THE BOARD OF COMMISSIONERS OF SURRY COUNTY, NORTH CAROLINA DO HEREBY ENACT AND ORDAIN:

- I. Article 1. Section 3. (1) of the Personnel Ordinance (Resolution) recorded in Surry County Ordinance Book is amended by adding after the words "elected officials" and before "shall" the following: and their appointees and employees.
- II. Section 12. Right of Appeal is repealed and a new Section 12 Enacted and Ordained as follows:

I. Grievance Procedure

- A. If an employee other than an elected official or an employee or appointee of an elected official has a grievance, the aggrieved employee may request in writing for a hearing by the head of the department or by his immediate supervisor. The written statement should outline the problem, and a copy of the request for hearing must be filed with the County Manager and the Chairman of the County Commissioners.

Within five days following the hearing, the supervisor or department head shall respond in writing with a decision on the impasse or grievance. A copy of the decision shall be given to the employee and a copy will be filed with the County Manager and the Chairman of the Board of County Commissioners.

- B. If an employee receives an adverse decision under I. A. hereof, the employee may, within seven days, request in writing a hearing or a review of the decision by the County Manager.

The County Manager shall render his decision in writing within five days and will send a written copy of his decision to the employee and to the Chairman of the Board of Commissioners and to the Department Head involved in appeal.

- C. If the employee receives an adverse decision by the County Manager, the employee may request in writing a hearing or a review of the decision by the full Board of Commissioners. The employee shall file his request within seven days from the time he receives the decision of the County Manager as rendered pursuant to I. B. hereof.

II. Hearing by the Board of Commissioners

- A. Within 30 days after a petitioner receives an adverse decision from the County Manager, the employee may file in writing a request with the County Manager and the Chairman of the Board of Commissioners requesting a hearing and the reasons for the appeal to the Board of Commissioners.
- B. The hearing by the Board of Commissioners shall be before the full Board at a regularly scheduled meeting. The employee shall appear before the Board with witnesses and evidence to support his contentions as to the reason(s) the decision should not be affirmed by the Board. The meeting and hearing shall be in executive session, unless employee and Commissioners agree that the hearing shall be in open session.

It shall be in the discretion of the Board of Commissioners to determine the rules of procedure and the number of witnesses to be heard on the matter under consideration. Witnesses may be called by the employee, the department head involved, County Manager, and by members of the Board of Commissioners.

- C. The Board of Commissioners shall render a decision in ten days unless it determines that additional information is needed in order to make a fair decision. In any event, the Board of Commissioners shall render a decision within sixty (60) days of the first hearing by the Board.

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III. Failure to File Notice of Appeal

- A. Failure of employee to file a notice of appeal within the specified time limits as outlined herein shall result in the forfeit of the right to appeal unless such failure to file is a result not attributable to the employee.

These amendments to the ordinance shall become effective upon adoption.

These amendments are adopted at a regular meeting of the Surry County Board of Commissioners on January 15, 1979.

SURRY COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Chairman

ATTEST \_\_\_\_\_

Clerk to the Board

Five (5) members voting for; Zero (0) members voting against.