



# COMMONWEALTH of VIRGINIA

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October 31, 2016

The Honorable Frank M. Ruff, Jr., Chairman  
Members of the Committee  
Senate General Laws and Technology Committee

The Honorable C. Todd Gilbert, Chairman  
Members of the Committee  
House General Laws Committee

Subject: **State Employee Grievance Hearings Report  
Pursuant to Chapter 694, 2016 Virginia Acts of Assembly**

Dear Chairmen and Members of the Committees:

Pursuant to enactment clause three of the above-referenced law, the Department of Human Resource Management (DHRM) is required to provide a report each year to the Senate Committee on General Laws and Technology and the House Committee on General Laws detailing:

*(i) the number of employee grievance hearings held pursuant to the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) and (ii) the number of decisions from such hearings that were rendered in favor of employees.*

Grievance hearings conducted under the state employee grievance procedure are not subject to the Administrative Process Act. Va. Code § 2.2-4002(B); Op. Att’y Gen. 31 (Sept. 4, 1997). Accordingly, there were no grievance hearings held under the Administrative Process Act subject to the language above.

Most state employee grievances are resolved prior to being addressed at a hearing. Although there are more than 63,000 positions potentially with access to the grievance procedure across the Commonwealth, DHRM can report that there was a total of 151 state employee grievance hearing decisions issued in Fiscal Year 2016. In those hearings, a decision was rendered in favor of the employee, in the form of partial or full relief, in 41 cases (27%).

Respectfully submitted,

A handwritten signature in cursive script that reads 'Sara R. Wilson'.

Sara R. Wilson

*An Equal Opportunity Employer*

Director