



# COMMONWEALTH of VIRGINIA

## Department of Human Resource Management

SARA REDDING WILSON  
DIRECTOR

101 N. 14<sup>TH</sup> STREET  
JAMES MONROE BUILDING, 12<sup>TH</sup> FLOOR  
RICHMOND, VIRGINIA 23219  
(804) 225-2131  
(TTY) 711

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

The Honorable C. Todd Gilbert, Chairman  
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 Chapter 694 of the 2016 Virginia Acts of Assembly, 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 tens of thousands of positions potentially with access to the grievance procedure across the Commonwealth, DHRM reports that there were 140 state employee grievance hearing decisions issued in Fiscal Year 2017. In those hearings, a decision was rendered in favor of the employee, in the form of partial or full relief, in 46 cases (33%).

Respectfully submitted,

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

Sara R. Wilson  
Director