



EMILY S. ELLIOTT  
DIRECTOR

**COMMONWEALTH OF VIRGINIA**  
*Department Of Human Resource Management*

James Monroe Building  
101 N. 14<sup>th</sup> Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219  
Tel: (804) 225-2131  
(TTY) 711

October 28, 2021

The Honorable Chairman and Members  
Senate General Laws and Technology Committee

The Honorable Chairman and Members  
House General Laws Committee

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

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. DHRM reports that there were 123 state employee grievance hearing decisions issued in Fiscal Year 2021. In those hearings, a decision was rendered in favor of the employee, in the form of partial or full relief, in 28 cases (23%).

Respectfully submitted,

A handwritten signature in cursive script that reads "Emily S. Elliott".

Emily S. Elliott  
Director