

## Merit Staffing Policy

335.1

### CHAPTER 4. RESOLVING MERIT STAFFING RELATED COMPLAINTS

#### 4-1 Informal Discussion

An employee with a complaint should informally discuss it with the person capable of resolving the complaint.

#### 4-2 Consultation with Personnel Representative

The employee may also want to discuss the complaint with the personnel representative who handled the merit staffing action. The personnel representative may be able to provide more information on the facts of the case, will be able to explain the controlling merit staffing principles and how they were applied, and if appropriate, may be able to take corrective action to satisfy the complainant.

#### 4-3 Unresolved Complaints

If the complaint is not immediately resolved through informal discussion or consultation with the personnel representative, the options are as follows:

##### A. Discrimination Complaints

Complaints which allege that unlawful discrimination has been practiced in the administration of the HUD Merit Staffing Policy are to be initiated as prescribed in the applicable HUD Equal Employment Opportunity Regulations. Unlawful discrimination refers to discrimination based upon race, color, religion, sex, national origin, political affiliation, marital status, non-disqualifying handicap, or age.

##### B. Departmental Grievance Procedure:

###### 1. General

HUD Handbook 771.2 REV-2, Administrative Grievances, instructs employees on how to file a grievance for resolution through the Departmental grievance procedure. Initially, for a merit staffing related grievance, this involves presenting an informal grievance to the servicing Human Resources Office (but not the personnel representative directly involved in the action). Should resolution not materialize at the informal level, the handbook specifies how a formal grievance may be presented to other reviewers.

###### 2. Coverage

The handbook outlines what is covered and what is not covered under the Departmental grievance procedure. The failure to be selected from a group of properly ranked and certified best

qualified candidates is not grievable.

### 3. Time Limit

A merit staffing related grievance must be presented within 15 Calendar days of the date of the act or occurrence being grieved or the date the employee became aware of that act or occurrence.