# Grievance and Administrative Review for Enterprises (including Gaming)

## Level 1
- The employee must grieve in writing to their immediate supervisor and Personnel Department within 5 calendar days of the disputed action.
- Supervisor has a duty to try to resolve the grievance and may do so by meeting with the employee and Personnel Department through Alternative Dispute Resolution or other mutual agreement.
- The supervisor will also meet with the Executive Facility Manager to discuss and investigate the grievance, together they will document and sign a grievance response within 10 calendar days.
- A copy of any and all correspondence will be provided to the Department of Personnel.

## Level 2
- If no response to employee in Level 1 at the end of 10 calendar days by supervisor the employee may grieve in writing to the Executive Director of Business or designee.
- The grievant must file a copy with Personnel Department. If there is a response at Level 1 but the employee is not satisfied, they may grieve in writing to the Executive Director of Business or designee.
- In either case, the Level 2 grievance must be filed within 5 calendar days of when supervisor responded at Level 1 or within 5 days of when the supervisor’s deadline to respond concluded.
- The Executive Director of Business or designee has a duty to try to resolve the grievance and has 15 calendar days from date of receipt to respond to the grievance.
- When the Executive Director or designee responds it must be documented, signed, and provided to the employee at their last known mailing address.
- A copy of any and all correspondence will be provided to the Department of Personnel. If grievance cannot be resolved at this point, it may be subjected to appeal, subject to the provisions in HCN ERA Chapter on Judicial Review.

## Judicial Review
- There is no judicial review of employee evaluations or disciplinary actions that do not immediately result in suspension or termination.
- An employee may appeal a final decision from the Administrative Review Process to the Trial Court within 30 calendar days of when the decision is served by mail.
- The Administrative Review Record will be compiled and submitted by the Department of Personnel within 15 days following the filing of a Petition for Administrative Review.

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*Grievant shall provide a copy of any and all correspondence to the Department of Personnel.*

*This timeline comes from the Employment Relations Act, 6 HCC § 5.35-37.*