

BILL ANALYSIS

Senate Research Center
78R6563 YDB-F

S.B. 1688
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Intergovernmental Relations
3/29/2003
As Filed

DIGEST AND PURPOSE

Currently, the Local Government Code establishes civil service requirements for certain fire fighters and police officers in cities with a population greater than 10,000. As proposed, S.B. 1688 sets forth procedures for processing a grievance in certain fire and police departments; imposes a penalty for the department if the required hearing is not timely held or the required supervisory answer is not timely issued; provides for mutual agreement by both parties for postponement of the mandatory hearing time requirements; and authorizes a fire fighter or police officer to file a group grievance on behalf of others with the same grievance in question.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 143.128(b) and (d), Local Government Code, as follows:

(b) Requires the departmental grievance counselor, if a step I grievance form is filed, to arrange a meeting of the fire fighter or police officer, that person's immediate supervisor or other appropriate supervisor or both, and the person or persons against whom the grievance is lodged, unless the parties mutually agree to a postponement. Provides that if the departmental grievance counselor does not schedule the step I meeting within the 30 calendar days, the fire fighter's or police officer's grievance is automatically sustained and no further action may be taken on the grievance.

(d) Provides that if the immediate supervisor or other appropriate supervisor does not provide a written response to the fire fighter or police officer within the 15 calendar days, the fire fighter's or police officer's grievance is automatically sustained and no further action may be taken on the grievance.

SECTION 2. Amends Sections 143.129(b) and (c), Local Government Code, as follows:

(b) Requires the meeting to be held within 15 calendar days after the date the step II grievance form is filed under Subsection (a), unless the parties mutually agree to a postponement. Provides that if the departmental grievance counselor does not schedule the step II meeting within the 15 calendar days, the fire fighter's or police officer's grievance is automatically sustained and no further action may be taken on the grievance.

(c) Provides that if the department head or the department head's representative does not provide a written response to the fire fighter or police officer within the 15 calendar days, the fire fighter's or police officer's grievance is automatically sustained and no further action may be taken on the grievance.

SECTION 3. Amends Section 143.130(b), Local Government Code, to require the hearing to be held within 15 of the aggrieved fire fighter's or police officer's working days after the date the step III grievance form is filed under Subsection (a), unless the parties mutually agree to a postponement. Provides that if the director does not schedule the step III hearing within the 15

working days, the fire fighter's or police officer's grievance is automatically sustained and no further action may be taken on the grievance.

SECTION 4. Amends Section 143.134, Local Government Code, by adding Subsection (i), to provide that this section and Sections 143.128-143.133 do not prevent a fire fighter or police officer from filing a group grievance on behalf of other fire fighters or police officers on the same grievance issue.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2003.