**Section 630.130 Abandonment - Extension**

a) Failure of either party to comply with the form or time requirements of the grievance procedures shall resolve the matter in favor of the other. The parties may mutually extend the time limits in writing at any level of the procedure except in the case of a hearing arising from demotion or discharge of a certified employee.

b) An employee's failure to submit a grievance, or to submit it or appeal it to the next level of this procedure within the specified time limits, shall mean that the employee has withdrawn the grievance or accepted the last answer given in the grievance procedure.

1) Step 1: A grieving employee shall present the grievance orally to the immediate supervisor explaining its nature and circumstances within five (5) scheduled working days after learning of the circumstances or conditions leading to it. The immediate supervisor shall answer within five (5) scheduled working days of its presentation.

2) Step 2: If the grievance is not satisfactorily resolved or no answer is given within five (5) scheduled working days of its presentation, the employee may, within ten (10) days of the date the Step 1 answer was due, submit the grievance to the next higher supervisor by reducing the grievance to writing on a form prescribed by the Department for such purpose and presenting it to the next higher supervisor or the person designated to act at this Step. A written answer shall be given within five (5) working days of its receipt by such person.

3) Step 3:

A) If the grievance is not satisfactorily resolved or no answer is given within five (5) scheduled working days after its written submission at Step 2, the employee may, within ten (10) scheduled working days after the Step 2 answer is due, appeal the grievance to the head of the department by using the same or a different form.

B) Within twenty (20) working days after the Step 3 appeal is filed, the head of the department shall render a written decision and shall serve a copy of the written decision upon the grievant. Failure of the Department head to render a written decision and to serve it upon the grieving employee within the specified time shall automatically move the grievance to Step 4.

4) Step 4: If the grievance is not satisfactorily resolved or no answer is given within the time limit set forth in Step 3, the employee may submit a copy of the written statement of grievance submitted in Step 3 within ten (10) days from the date the decision was due to the Director of Personnel for review and final determination.