

**Department of Planning and Budget
2003 Fiscal Impact Statement**

1. Bill Number HB1917

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Almand and Albo

3. Committee Passed both Houses

4. Title State grievance procedure.

5. Summary/Purpose: This proposal amends certain aspects of the state employee grievance procedure concerning the provision of remedies by agency managers and the effective date of administrative hearing officers' decisions. Specifically, the proposal clarifies that an agency head must approve a proposed remedy prior to any subordinate layer of agency management providing that remedy to an aggrieved state employee. In addition, the proposal clarifies that an administrative hearing officer's decision in a formal grievance proceeding is effective from only the later of the date issued or the conclusion of any administrative review or judicial appeal concerning that decision. Currently, the Code of Virginia states that a hearing officer's decision is effective from the date that decision is issued. This proposal was offered in response to issues raised in the circuit court decision rendered in *Hornerv. Department of Mental Health, Mental Retardation, and Substance Abuse Services*.

6. No Fiscal Impact.

7. Budget amendment necessary: No.

8. Fiscal implications: This proposal has no fiscal implications for state agencies.

9. Specific agency or political subdivisions affected: All state agencies would be affected by this proposal.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 02/24/03/PXV

Document: G:\2003legislation\Hb1917.Doc

cc: Secretary of Administration