

## Department of Planning and Budget

### 2014 Fiscal Impact Statement

**1. Bill Number:** HB1069-ER

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Taylor

**3. Committee:** Passed Both Houses

**4. Title:** Department of Human Resource Management; grievance procedures for certain employees.

**5. Summary:** Clarifies that employees of the Departments of Corrections and Juvenile Justice may appeal terminations for abuse only through the Department of Human Resource Management applicable grievance procedures, which shall not include successive grievance steps or the formal hearing provided in § 2.2-3005, Code of Virginia. The bill also clarifies that if no resolution is reached, the employee may advance the grievance to the circuit court of the jurisdiction in which the grievance occurred for a de novo hearing on the merits of the termination.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** No state fiscal impact.

**8. Fiscal Implications:** House Bill 1069 corrects references to nonexistent grievance steps as to certain employee hearing appeals in § 2.2-3007, Code of Virginia. The grievance steps no longer exist since the Employee Dispute Resolution merged with the Department of Human Resource Management (DHRM) on July 1, 2012. As part of the merger, employees of the Department of Corrections (DOC) and Department of Juvenile Justice (DJJ) who were terminated for inmate or resident abuse can appeal their termination through a hearing by the appropriate Circuit Court instead of going through the grievance resolution steps.

The Code of Virginia was not updated to reflect this new grievance process. The proposed legislation is simply a technical correction to align the Code of Virginia with the current grievance process.

In addition, House Bill 1069 requires the employees of the DOC and DJJ to appeal their termination on the grounds of client, inmate, or resident abuse only through DHRM. The legislation also authorizes the employees of the DOC and DJJ to advance the grievance to the circuit court of the jurisdiction in which the grievance occurred for a de novo hearing on the merits of the termination if no resolution is reached.

**9. Specific Agency or Political Subdivisions Affected:** Departments of Human Resource Management, Corrections, and Juvenile Justice.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 2/24/2014

**Document:** G:\Administration\Department of Human Resource Management\2014 GA Session\Enrolled\HB1069ER.doc

**c:** Secretary of Administration