

Joe Manchin III  
Governor

Robert W. Ferguson, Jr.,  
Cabinet Secretary  
Department of Administration

Robin B. Perdue  
Director



Public Employees Grievance Board

Grievance Board  
Bob Brown  
Chairman  
Melissa Lampinen  
Secretary-Treasurer  
Marc L. Harman  
Dr. Charles H. Polk  
David W. Roberts

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**WEST VIRGINIA**

**PUBLIC EMPLOYEES GRIEVANCE BOARD**

**ANNUAL REPORT**

**2007**

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<http://pegboard.state.wv.us> An Equal Opportunity Employer [wvwb@wv.gov](mailto:wvwb@wv.gov)

## Number of Grievances against each Employer (Filed at Level Four)

<b>6</b>	<b>Administration, Department of</b>		
1	General Services Division		
2	Public Employees Insurance Agency		
3	Technology, Office of		
<b>16</b>	<b>Commerce, Department of</b>		
1	Labor, Division of		
2	Miners' Health, Safety and Training, Office of		
8	Natural Resources, Division of		
5	Workforce West Virginia		
<b>161</b>	<b>County Boards of Education</b>		
1	Barbour	1	Mineral
1	Berkeley	5	Mingo
2	Boone	13	Monongalia
0	Braxton	1	Monroe
4	Brooke	0	Morgan
5	Cabell	2	Nicholas
1	Calhoun	2	Ohio
0	Clay	0	Pendleton
2	Doddridge	1	Pleasants
6	Fayette	1	Pocahontas
0	Gilmer	0	Preston
2	Grant	9	Putnam
1	Greenbrier	7	Raleigh
3	Hampshire	3	Randolph
7	Hancock	1	Ritchie
1	Hardy	0	Roane
1	Harrison	0	Summers
2	Jackson	0	Taylor
0	Jefferson	3	Tucker
17	Kanawha	0	Tyler
3	Lewis	4	Upshur
3	Lincoln	10	Wayne
1	Logan	1	Webster
0	Marion	5	Wetzel
5	Marshall	0	Wirt
4	Mason	4	Wood
8	McDowell	1	Wyoming
7	Mercer	0	Multi-County Vocational Centers

<b>6</b>	<b>County Health Departments</b>
1	Greenbrier County Health Department
2	Mid-Ohio Valley Health Department
1	Monongalia County Health Department
2	Morgan County Health Department
<b>3</b>	<b>Education, Department of</b>
<b>2</b>	<b>Regional Education Service Agencies</b>
1	RESA I
1	RESA VII
<b>1</b>	<b>Unspecified</b>
<b>8</b>	<b>Education and the Arts, Department of</b>
6	Culture and History, Division of
2	Rehabilitation Services, Division of
<b>10</b>	<b>Environmental Protection, Department of</b>
1	Air Quality, Division of
1	Explosives and Blasting, Office of
1	Rehabilitation Environmental Action Plan
7	Unspecified
<b>205</b>	<b>Health and Human Resources, Department of</b>
<b>40</b>	<b>Behavioral Health and Health Facilities, Bureau for</b>
3	Hopemont Hospital
1	J. Manchin Sr. Health Center
5	Lakin Hospital
7	Mildred Mitchell Bateman Hospital
2	Pinecrest Hospital
13	Welch Community Hospital
6	William Sharpe Hospital
3	Unspecified
<b>13</b>	<b>Child Support Enforcement, Bureau for</b>
<b>135</b>	<b>Children and Families, Bureau for</b>
<b>1</b>	<b>Medical Services, Bureau for</b>
<b>1</b>	<b>Personnel Services</b>
<b>6</b>	<b>Public Health, Bureau for</b>
<b>9</b>	<b>Unspecified</b>
<b>44</b>	<b>Higher Education</b>
1	Bluefield State College
3	Concord University
2	Fairmont State University
10	Marshall University
2	Shepherd University
6	West Virginia State University
17	West Virginia University
2	West Virginia University at Parkersburg
1	West Virginia University Potomac State College

<b>69</b>	<b>Military Affairs and Public Safety, Department of</b>
<b>33</b>	<b>Corrections, Division of</b>
6	Anthony Correctional Center
1	Beckley Correctional Center
1	Denmar Correctional Center
2	Huttonsville Correctional Center
1	Martinsburg Correctional Center
4	Mount Olive Correctional Complex
4	Northern Correctional Facility
1	Parole Services
11	Saint Mary's Correctional Center
2	Unspecified
<b>3</b>	<b>Homeland Security and Emergency Management, Division of</b>
<b>13</b>	<b>Regional Jail and Correctional Facility Authority</b>
2	Eastern Regional Jail
2	Northern Regional Jail
2	South Central Regional Jail
1	Southern Regional Jail
2	Tygart Valley Regional Jail
4	Unspecified
<b>15</b>	<b>Juvenile Services, Division of</b>
1	Davis Juvenile Correction Center
1	Donald R Kuhn Juvenile Diagnostic and Detention Center
2	Gene Spadaro Juvenile Center
7	Industrial Home for Youth Juvenile Correction Center
1	Vicki Douglas Juvenile Center
3	Unspecified
<b>1</b>	<b>Parole Board</b>
<b>2</b>	<b>State Police (Civilian employees)</b>
<b>2</b>	<b>Veteran's Affairs, Division of</b>
<b>3</b>	<b>Public Service Commission</b>
<b>6</b>	<b>Revenue, Department of</b>
2	Insurance Commission
4	Tax Department
<b>102</b>	<b>Transportation, Department of</b>
96	Highways, Division of
2	Motor Vehicles, Division of
4	Parkways, Economic Development and Tourism Authority

**Identification of each grievance by type of grievance (filed at Level Four), level of resolution and cost of the grievance, including the estimated cost of employee time to handle the grievance and actual cost of any legal time or damages paid in the resolution of the grievance**

**By type of grievance\***

Classification and compensation	307
Default	27
Disciplinary	133
Discrimination	32
Harassment	8
Non-disciplinary employment actions**	18
Reprisal	11
Selection	75
Violations of federal, state or agency statutes, rules or policies	91
Other	23

**By level of resolution**

This report covers a period of time when the “old” procedure was the only procedure in place. Under that system, the Board did not track and monitor grievance procedures at Levels One through Three. Therefore, the only information that the Board has is on Level Four.

During Fiscal Year 2007, the Grievance Board issued 182 decisions.

**By cost of the grievance**

As previously stated, this report covers a period of time when the Grievance Board did not (and was not required to) collect this data.

\* Grievances frequently involve more than one type of issue.

\*\* This includes transfers, reductions in force, bumping, non-renewal of contracts, counseling, and probationary dismissal for unsatisfactory performance.

**The number and type of grievances granted, denied, or resolved by other means, including informal resolutions and alternative dispute resolution, and the actual or estimated cost of handling the grievance at each level of the grievance process.\***

<b>TYPE</b>	<b>GRANTED</b>	<b>DENIED</b>	<b>SPLIT</b>	<b>RESOLVED BY OTHER MEANS**</b>
Classification and compensation	11	49	3	66
Default	5	17		12
Disciplinary	1	30	1	75
Discrimination	8	33	1	8
Harassment		3		5
Non-disciplinary employment actions	1	7	1	7
Reprisal	1	7		1
Selection	9	30	1	15
Violations of federal, state or agency statutes, rules or policies	5	22	1	26
Other		7		9

\* As previously stated, this report covers a period of time when the Grievance Board did not (and was not required to) collect data regarding cost.

\*\* This includes grievances that are settled, withdrawn, remanded, and dismissed.

**The caseload of each administrative law judge, the type of grievance, the number of grievances resolved and the number of decisions issued.**

	WC*	SK	PM**	JR	DS	Unassigned	Total
<b>Caseload</b>							
Assigned	100	95	80	131	87	91	584
<b>Type (filed)</b>							
Classification & compensation	28	23	12	35	49	160	307
Default	4	4	5	9	4	1	27
Disciplinary	9	27	17	35	26	19	133
Discrimination	6	8		4	8	6	32
Harassment		3		5			8
Non-disciplinary employment actions	1	4	3	3	2	5	18
Reprisal		5	2	1	1	2	11
Selection	12	12	0	15	15	21	75
Violations of federal, state, or agency statutes, rules or policies	9	12	5	11	38	16	91
Other	7	6	1	1	6	2	23
<b>Mediations Held</b>							
	8	7	6	11	4		36
<b>Decisions Issued</b>							
	39	56	16	33	38		182
<b>Default Orders Issued</b>							
	5	6	4	2	4		21
<b>Dismissal Orders Issued</b>							
	47	30	42	57	26		202

\* Resigned June 1, 2007

\*\* Resigned April 30, 2007