**Section 303.20 Procedure**

a) Grievances shall be submitted in accordance with the following procedure unless the Director permits an agency to vary the number or content of the steps therein prescribed upon the written request of the operating head of an agency and for good cause shown therein, except that a grievance arising out of interpretation and/or application of a provision contained within a collective bargaining agreement shall be heard pursuant to the procedures established therein for the respective bargaining unit.

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appeal it to the next level of this procedure within specified time limits therefor, shall mean that the employee has withdrawn the grievance or accepted the last answer given in the grievance procedure if the employee so indicates.

c) Step 1: A grieving employee shall present the grievance orally to the immediate supervisor explaining its nature and circumstances within 5 scheduled working days after learning of the circumstances or condition which gave rise to it. The immediate supervisor shall answer within 5 scheduled working days of its presentation.

d) Step 2: If the grievance is not satisfactorily resolved or no answer is given within 5 scheduled working days of its presentation, the employee may, within 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 thereto shall be given within 5 working days of its receipt by such person.

e) Step 3

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

2) Within 20 working days after the Step 3 appeal is filed, the head of the operating agency shall render a written decision thereon, and shall serve a copy of said written decision upon the grievant. Failure of the agency 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.

f) 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 theretofore submitted in Step 3 within 10 working days from the date the decision was due to the Director of Central Management Services for review and final determination.

(Source: Amended at 4 Ill. Reg. 11, p. 70, effective March 1, 1980)