

City of Burbank
MEMORANDUM

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Michael Albanese
NOTED

2-9-2021

Date: February 09, 2021
To: Deputy Chief Michael Albanese
From: Lieutenant Adam Cornils – Internal Affairs Bureau
Subject: Annual Analysis of Grievances

The purpose of this memorandum is to comply with CALEA Standard 22.4.3, which entails an annual analysis of grievances filed by Department employees. The goal of the analysis is to identify trends and put in place safeguards that would help mediate or eliminate the identified issues.

The Burbank Police Department's *Grievance Procedure* policy (#1006) defines a grievance as, "A cause of distress felt to afford reason for complaint as an unsatisfactory working condition. A grievance may involve the terms or conditions of employment or the interpretation or application of any of the following by the affected persons."

- The employee bargaining agreement (MOU)
- Policies
- City rules and regulations covering personnel practices or working conditions

For the 2020 calendar year, the Police Department did not receive any grievances from an employee. The Management Services Department (MSD) received four grievances from Police Department employees. No grievances/complaints were filed via the state, county, or other outside agencies.

The grievances were categorized as follows:

- Two grievances alleged violations of the City's administrative policies by the Police Department. The City's investigation found no violations in one of these cases. The investigation of the other was ongoing.
- One grievance was associated to arbitration of discipline imposed by the Police Department. The arbitration was still pending.
- One grievance alleged a violation of the employee's MOU, based on job duties. This investigation was ongoing.

Due to the confidential nature of the grievance investigation process by the City, MSD was unable to share further information or specifics regarding the nature of the complaints.

Based on personal knowledge of the investigation, I am aware that the grievance, which the City determined to be unfounded, and the arbitration of discipline are connected to the same case. An employee facing discipline following a personnel investigation, which resulted in a sustained allegation of misconduct, filed a grievance regarding the investigation. The City determined no violation of Administrative Procedures occurred.

The employee in this case also chose to take the disciplinary process to arbitration, which was counted as a separate grievance in MSD's records.

The investigative process by the City needs to be completed, and dispositions provided to the Police Department, regarding the other grievances filed, in order for the Department to assess if any actions should be taken to mediate or eliminate the identified issues. This memorandum is being submitted prior to that process being completed, in order to meet due dates required by CALEA standards.

cc. Acting Police Administrator Courtney Padgett