

ACTION ITEM

CONSTABLES' EDUCATION AND TRAINING BOARD

February 14, 2019

Act 49 Constables' Training Grievance Process Policy Statement

I. Purpose.

This policy sets forth the process for Act 49 Constable Training grievances and how they are handled by Board and Board Staff.

II. Definitions.

Act - 42 Pa. C.S. §§2941-2950 (relating to constables).

Board - The Constables' Education and Training Board.

Board Staff/Supervisor - Commission staff specifically assigned to support the Board.

Constable – An elected or appointed constable or deputy constable.

PCCD – The Pennsylvania Commission on Crime and Delinquency

School – A facility approved by the Board that enters a contract with PCCD to conduct training.

III. Intent.

Board Staff would like to implement the following Act 49 Constable Training Grievance Process as a policy:

1. The Act 49 Constable Training Grievance Form must be completed in its entirety and must have any supporting documentation attached.
2. The Act 49 Constable Training Grievance Form must be filed with the Board Supervisor within one (1) year of the start of the training class in which the circumstances giving rise to the grievance arose.
3. Board Supervisor will acknowledge the receipt of the Act 49 Training Grievance Form within five (5) days to the named Grievant.
4. Board Supervisor will initiate an investigation into the Training Grievance by contacting the Grievant, Training Delivery Contractor, class instructors, other constables/deputy constables (either named in the Training Grievance or who were also in attendance during the class in question) and any other entities deemed necessary. Board Supervisor will gather any additional information necessary to assist in making a determination.

5. Board Supervisor will meet with Board Staff to review all information received and will make a determination on the Training Grievance as follows:
 - a. When Board Regulations, Board Policies or the PA Constables' Classroom Code of Conduct can resolve the Training Grievance, the Board Supervisor will contact the Grievant in writing referencing Board Regulations, Board Policies or the PA Constables' Classroom Code of Conduct.
 - b. If the Training Grievance does not apply to Board Regulations, Board Policies or the PA Constables' Classroom Code of Conduct, the Board Supervisor, in consultation with Board Staff and Legal Counsel, will make recommendations to the Board on courses of action that can be taken to address the Training Grievance.
6. If the Training Grievance is outside the scope of training and certification, Board Staff will respond in writing indicating such.
7. Board Supervisor or Board Staff will update the Board on the outcome of any Training Grievances at the next scheduled Board meeting.
8. Any Grievances requesting Board action will be presented to the Board as an Action item at the next scheduled Board meeting.
9. The Board Supervisor will contact the Grievant in writing referencing the Board's decision.

Board Staff are requesting that the Board approve the Revised Act 49 Constable Training Grievance Process Policy Statement to include the requested filing criteria under III. Intent.