

By: Walle

H.B. No. 2940

A BILL TO BE ENTITLED

AN ACT

relating to the grievance procedure for firefighters and police officers in certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 143.127, Local Government Code, is amended by adding Subsection (e) to read as follows:

(e) A municipality or department may not by ordinance, rule, or otherwise prohibit a fire fighter or police officer from pursuing a grievance under this section and Sections 143.128 through 143.134 regarding a matter that is not otherwise covered by this chapter but that concerns a matter regarding which an employee of the municipality who is not covered under this chapter may pursue a grievance.

SECTION 2. Section 143.128, Local Government Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) To begin a grievance action, a fire fighter or police officer must file a completed written step I grievance form with the person's department head or departmental grievance counselor within 30 days after the date the fire fighter or police officer knew or should have known of the action or inaction for which the person feels aggrieved occurred. A step I grievance form may be obtained from the departmental grievance counselor. If the form is not timely filed, the grievance is waived.

1 (f) If the supervisor does not provide the response required
2 by Subsection (d) before the 16th day after the date the meeting
3 occurs, the department head shall sustain the fire fighter's or
4 police officer's grievance.

5 SECTION 3. Section 143.129, Local Government Code, is
6 amended by adding Subsection (e) to read as follows:

7 (e) If the department head or the department head's
8 representative does not provide the response required by Subsection
9 (c) before the 16th day after the date the meeting occurs, the
10 department head must sustain the fire fighter's or police officer's
11 grievance.

12 SECTION 4. The changes in law made by this Act to Sections
13 143.127, 143.128, and 143.129, Local Government Code, apply only to
14 grievances filed on or after the effective date of this Act. A
15 grievance filed before the effective date of this Act is governed by
16 the law in effect on the date the grievance was filed, and the
17 former law is continued in effect for that purpose.

18 SECTION 5. This Act takes effect September 1, 2009.