



# CONFLICT RESOLUTION BOARD PROCEDURE

APPROVED BY THE EXECUTIVE DIRECTOR  
OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT: 08/07/2015

DISTRICT CLERK'S OFFICE

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## CHAPTER 220 HUMAN RESOURCES

### ARTICLE III. EMPLOYMENT AND TRAINING

Sec. 220.72. Conflict Resolution Board Procedure.

(a) Origin: Article 120.345, Conflict Resolution Policy.

(b) *Scope*: Regular Employees Excluding Management Employees, which include Section Administrators through the Executive Director and employees in other designated positions (including but not limited to SES employees), and Attorneys Working in the Office of Counsel.

(c) *Guiding Principles*:

- (1) Conflicts relating to demotions, suspensions and separations initiated on account of an employee's performance or conduct are subject to review by the Conflict Resolution Board ("CRB").
- (2) Employee performance or conduct conflicts subject to review by the CRB must first complete the Conflict Resolution Procedure (subsection [220-71\(d\)\(1\)](#)) through the employee's supervisor and next level of management *except* that conflicts initiated on account of an employee's separation for performance or conduct may be raised directly to the CRB.
- (3) Conflicts arising out of the District's Drug Free Workplace Rule, Policy or Procedures are not subject to this Conflict Resolution Board Procedure.

(d) *Process*:

- (1) An eligible employee may request review by the CRB by submitting a request for review with the Human Resources Manager.
  - a. The request for review must be submitted no more than 14 calendar days following a decision by the Section Administrator, Bureau Chief or Division Director, as applicable, on the subject employment issue.
  - b. The Human Resources Manager shall schedule the review request for the next available CRB meeting.
  - c. Certain requests for CRB review may be deferred by the District pending completion of an internal investigation.

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- (2) The CRB is a group comprised of two management-level employees and three non-supervisory employees in the requesting employee's overtime category.
  - a. An employee's CRB may not include employees from the Office of Counsel, HR Bureau or the Inspector General's Office, employees who are related to the requesting employee, or employees from the requesting employee's Bureau or the Bureaus' of Managers sitting on the Board, or employees otherwise directly involved with the issue.
  - b. Employees selected to serve on the CRB shall be in good standing (not on a Performance Improvement Plan) and have attained regular employment status. Employees selected to serve on the CRB shall serve unless the requesting employee raises an objection based on the selected employee's identifiable bias that would preclude his or her impartial judgment.
  - c. The Human Resources Manager shall assign an HR Generalist who shall serve on the CRB as an ex officio member and shall moderate the CRB's activities.
- (3) An employee's CRB shall receive information from both the requesting employee and his or her immediate supervisor and shall review the documentation and other information presented by the requesting employee and his or her immediate supervisor to determine if management's actions were in compliance with District Policy and Procedure.
  - a. Then requesting employee and his or her immediate supervisor shall have an opportunity to explain their respective positions in writing.
  - b. As requested by the CRB, the requesting employee and his or her supervisor or manager shall address the CRB in person to respond to their questions.
  - c. Following review of all presented materials and the relevant District Policies and Procedures, the CRB shall prepare a written recommendation based on the majority view and may prepare a written recommendation based on the minority view, if any.
    1. The written recommendation shall address the CRB's findings as to whether District Policy and Procedure was followed and, accordingly, whether the employment action should be upheld, rejected or modified.
    2. The CRB's written recommendation(s) shall be presented to the appropriate Division Director or, if the Division Director was the decision maker, to the next level of management, no later than 21 calendar days following the CRB meeting.

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- d. The Division Director or next level of management, as appropriate, shall accept, reject or modify the CRB's majority view recommendation.
    - 1. The Division Director or next level of management, as appropriate, may consider any recommendation presented on the minority view in reaching his or her decision.
    - 2. The Division Director or next level of management, as appropriate, shall communicate his or her decision to the employee in writing no more than 14 calendar days following receipt of the CRB's majority view recommendation.
  - e. The Decision of the Division Director or next level of management, as appropriate, is final.
- (4) An employee's failure to initiate the process or the employee's or District's failure to meet the deadlines as provided in this procedure shall not necessarily invalidate a proceeding under this procedure. The Human Resources Bureau Chief or his or her designee may provide for extensions of time limits whenever considered appropriate.

(Approved 6-8-2005, art. 220.345b; approved 8-8-2011, art. 220.345b)