

Office of Employment Dispute Resolution

Publication Policy

Policy Statement:

To promote a better understanding of the grievance procedure and a consistent application of its rules, as well as state and agency policy, the General Assembly has mandated that the Department of Human Resource Management publish its rulings and hearing officer decisions. Va. Code § 2.2-1202.1(7). To achieve an appropriate balance between a citizen's right to access records of governmental activities and the privacy concerns of individuals, the Office of Employment Dispute Resolution (EDR) will publish all rulings and hearing officer decisions in a manner that seeks to preserve personal privacy. To accomplish this end, EDR will require hearing officers to draft their opinions in accordance with the guidelines set forth below. EDR rulings will also conform to the guidelines below.

Guidelines:

1. Individuals will not be referenced by name in the body of the ruling or decision. Instead, the person who initiated the grievance shall be referred to as the "grievant." Likewise, witnesses and agency representatives shall be referred to by job title (e.g., the first lieutenant or accountant senior) or simply by their relationship to the grievant or the agency (e.g, inmate, patient, immediate supervisor, grievant's spouse). The agency should be named but identification of particular facilities should be avoided. Similarly, names of particular localities and other specifically identified places should be avoided.
2. When EDR rulings and hearing decisions are mailed to the parties, they will be accompanied with cover pages that identify, by name, the parties to the grievance. The cover page shall be the only portion of the decisions or ruling that contains individuals' names. To preserve privacy, ruling and decision cover pages will not be published.
3. EDR rulings and hearing decisions should be written in "plain English." The use of legal terminology should be avoided to the extent possible. (Example: the phrase "among other things" should be used instead of "inter alia").
4. Final drafts of hearing decisions must be provided to EDR in an electronic format.