



The Attorney General of Texas

September 6, 1978

JOHN L. HILL
Attorney General

RQ-1950

Supreme Court Building
P.O. Box 12548
Austin, TX. 78711
512/475-2501

Honorable Ann Postma Musgrove
County Attorney
Childress County
Childress, Texas 79201

Opinion No. H- 1238

Re: Salary increases under
grievance procedure of article
3912k.

701 Commerce, Suite 200
Dallas, TX. 75202
214/742-8944

Dear Mrs. Musgrove:

4824 Alberta Ave., Suite 180
El Paso, TX. 79905
915/533-3484

You have asked if the grievance committee, established under article 3912k, section 2, V.T.C.S., may consider and recommend a salary increase for all of the county's officers, including those who made no request for a hearing on a salary increase. You also ask if the grievance committee may recommend a salary increase for the employees of county officials.

729 Main, Suite 610
Houston, TX. 77002
713/228-0701

Section 2(d) of article 3912k sets out the procedure which an elected official must follow before the grievance committee may recommend an increase in salary. See Attorney General Opinion H-314 (1974) (grievance procedure raise may be effective immediately). The official must request a hearing before the grievance committee in writing stating the manner in which he feels aggrieved. A hearing is held within thirty days after receipt of the request. It is our opinion that an official subject to the provisions of section 2 of article 3912k who does not follow this procedure will not be entitled to consideration for a pay increase under the grievance procedure.

805 Broadway, Suite 312
Lubbock, TX. 79401
806/747-6238

4313 N. Tenth, Suite F
McAllen, TX. 78501
512/682-4547

The grievance procedure established in section 2 of article 3912k applies only to elected officers and not employees. Pay increases for employees are governed by section 1 of article 3912k. See Attorney General Opinion H-11 (1973).

200 Main Plaza, Suite 400
San Antonio, TX. 78205
512/225-4191

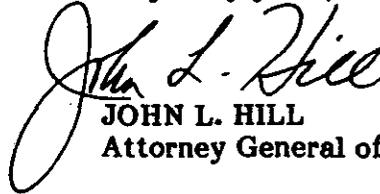
S U M M A R Y

An Equal Opportunity
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An elected county or precinct officer must make a written request for a salary increase before the article 3912k grievance committee may recommend a raise. County and precinct employees may not file a

grievance with the grievance committee, but they may be given a salary increase by the commissioners court pursuant to section 1 of article 3912k, V.T.C.S.

Very truly yours,



JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant
C. ROBERT HEATH, Chairman
Opinion Committee

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