

## **GRIEVANCE/COMPLAINT PROCEDURES**

The purpose of the grievance/complaint procedure is to secure at the lowest possible level equitable solutions to issues that may arise with respect to an employee's terms and conditions of employment. In filing a complaint, an employee may use either the procedures set forth in Board policy/administrative regulation or the grievance procedure outlined in the applicable negotiated agreement; if the alleged violation also violates a provision of the negotiated agreement.

### **Definitions**

1. **Grievance** - a complaint by an employee that there has been a misrepresentation or violation of any provision of the respective employee group negotiated agreement.
2. **Grievant** - The employee who is a member of the bargaining unit and who files the grievance.
3. **Complaint** - An allegation that there has been a violation, misinterpretation a misapplication of District policies, administrative regulations, or procedural guidelines that pertain to the individual employee.
4. **Complainant** - The employee making the claim.
5. **Days** - The days when the superintendent's office is open for business, unless otherwise defined in the negotiated agreement.

## Procedure

### 1. Level I - Informal Resolution - Immediate Supervisor

An employee with a grievance/complaint shall first discuss the concern individually with the immediate supervisor within five (5) days of the alleged violation, citing the specific Board policy, administration regulation or provision of the agreement alleged to have been violated, with the objective of resolving the grievance/complaint informally. No written record will be made. However, a memo signed by both parties giving the date of the meeting shall be prepared.

### 2. Level II - Formal Resolution - Immediate Supervisor

- a. If the employee is not satisfied with the discussion of the grievance/complaint at Level I, the employee may file the grievance/complaint with the immediate supervisor in writing, using the required official form within three (3) days of the Level I meeting.
- b. The immediate supervisor shall schedule and hold a meeting with the grievant/complainant within three (3) days after receipt of the written grievance/complaint and shall transmit a written decision to the grievant within three (3) days of the meeting.

### 3. Level III - Formal Resolution - Superintendent or Superintendent's Designee

- a. If the grievant is not satisfied with the disposition of the grievance/complaint at level II, he or she may file an appeal with the superintendent in writing, using the official grievance/complaint form within three (3) days of the Level II response.

- b. The superintendent or the superintendent's designee shall schedule and hold a meeting with the grievant with three (3) days after receipt of the appeal and shall transmit a written decision to the grievant within three (3) days of the meeting.
  
- 4. Level IV - Formal Resolution - Board of Education
  - a. If the grievant is not satisfied with the disposition of the grievance/complaint, he or she may file an appeal with the board of education in writing, using the official grievance/complaint form within three (3) days of the Level III response.
  
  - b. The board will hear the appeal at its next regularly scheduled meeting or a special meeting which has been called for that purpose within forty-five (45) days of the receipt of the appeal. The board shall transmit its written decision to the grievant within (3) days of the meeting. The decision of the board shall be final and non appealable.

### **General Provisions**

- 1. The grievant/complainant shall have sole responsibility for pursuing the grievance/complaint through all levels and within the time limits specified in these procedures.
  
- 2. Failure at any level of this procedure to appeal to the next level within the specified time limits shall be deemed to be acceptance by the grievant/complainant of the decision at that level.

3. Failure at any level of this procedure to respond to a grievance/complaint within the specific time limits shall permit the grievant to appeal to the next level.
4. Time limits at any level may be extended by mutual agreement, and such agreements shall be made in writing and placed in the record for that grievance/complaint.
5. A grievance which arises from an action of an authority above the level of immediate supervisor may be initiated at Level III of this procedure.
6. Evidence and testimony presented by the grievant/complainant at any level of this procedure shall be limited to that which was presented at previous levels.
7. Copies of official grievances/complaints, all documents, communications and records dealing with the processing of a grievance will be filed in a separate grievance/complaint file and will not be kept in the personnel files of the grievant.
8. No reprisals shall be taken against the grievant or other participants in the grievance procedure by reason of such participation.