

## STAFF GRIEVANCE PROCEDURE

### Definitions:

- A. A "grievance" is a complaint by a person or group of persons employed by the Faith School District #46-2, made either individually or by a duly authorized and recognized employee association through its representative, that there has been a violation, misinterpretation or inequitable application of any existing agreement, contract, policy, rule, or regulation of the School Board. Negotiations for, or a disagreement over, a non-existing agreement, contract, policy, rule, or regulation is not a "grievance."
- B. An "aggrieved person" is the person or group of persons filing the grievance.
- C. "Board" means the School Board of the district.
- D. "Days" shall mean calendar working days.

### Purpose:

- A. The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which may from time to time arise between employees and the district and to facilitate this purpose these proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.
- B. Nothing herein contained shall be construed as limiting the rights of any employee having a grievance to discuss the matter informally with any appropriate member of the administration, and having the grievance adjusted without the intervention of the employee association, provided the adjustment is not inconsistent with the terms of any settlement with the employee association then in effect.

### Procedure:

- A. It is important the grievances be processed as rapidly as possible. The number of days indicated at each level shall be the maximum and every effort should be made to expedite the process.
- B. If appropriate action is not taken by the employee within the time limit specified, the grievance will be deemed settled on the basis of the disposition at the preceding level. The time limits specified herein may be extended by mutual agreement, provided the time extension is requested within the time limits provided in the Article.

- C. If an employee does not file a grievance in writing with the principal or other supervisor within 30 calendar days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.
- D. A supply of the grievance forms shall be on file with the building principal, immediate supervisor, and the local association president.

**Informal Procedures:**

If an employee feels he has a grievance, he shall first discuss the matter with his supervisor, principal or other administrator, to whom he is directly responsible in an effort to resolve the problem.

**Formal Procedures:**

**LEVEL ONE - School Principal, Immediate Supervisor or Other Administrator**

- A. If an aggrieved person is not satisfied with the disposition of his problem through informal procedures, he shall submit his grievance in writing within 30 days.
- B. A signed copy of the written grievance shall be delivered by the employee to his/her immediate supervisor.
- C. An employee who is not directly responsible to a building principal may submit his/her formal written grievance to the administrator or supervisor to whom he is directly responsible.
- D. The administrator, within 10 days of the filing of the grievance shall render his decision in writing to the aggrieved person.

**LEVEL TWO - Superintendent of Schools**

- A. If an aggrieved person or the Board is not satisfied with the decision concerning his grievance at Level One, or if no written decision has been rendered within 10 days, he shall, within 10 days after the decision is rendered, or within 10 days after filing at level one, resubmit his grievance in writing to the superintendent of schools.
- B. The superintendent of schools shall within 10 days from the filing of the written grievance meet with the aggrieved person

- C. for the purpose of resolving the grievance. The superintendent shall, within 10 days after this meeting, render his decision in writing to the aggrieved person.

**LEVEL THREE - Board of Education**

- A. If the aggrieved person or the Board is not satisfied with the disposition of the grievance at Level Two, or if no written decision has been rendered within 10 days, he shall within 10 days thereafter resubmit the grievance to the business manager or the president of the Board.
- B. At its next meeting, or at a time mutually agreed upon by the parties, the Board or its designated agent shall hold a hearing on the grievances. The decision of the Board shall be rendered in writing within 10 days after the hearing.

**LEVEL FOUR**

If the aggrieved person is not satisfied with the disposition of the grievance at Level Three or if no written decision has been rendered within the time period set forth in the preceding paragraph, he may, within 30 days after receipt of the written decision is due, whichever is earlier, appeal to the Department of Labor, pursuant to statute. The inclusion of this paragraph in this grievance procedure shall not constitute a waiver by either party of its rights to dispute the authority of the Department of Labor to hear the appeal and/or render any particular decision.

**Miscellaneous:**

- A. If, in the course of investigation of any grievance by representatives of the complainant, such investigation requires their presence in a school building; they shall report immediately to the principal of such building being visited and state the purpose of the visit.
- B. Interruption of regularly assigned classes or activities shall be avoided and students shall not be included in any phase of the grievance procedure except with the mutual consent of both parties.
- C. Any party or parties in interest shall appear and may be represented at formal Levels One, Two and Three of the grievance procedure. Nothing in this agreement shall deny or restrict the grievant the right to have grievance adjusted with or without the involvement of the Association at all levels, provided that the adjustment of the grievance is not inconsistent with this agreement and except when the aggrieved person specifically requests the exclusion of all but the parties in interest and their respective representatives.

- D. If, in the judgment of the employee organization a grievance affects a group or class of employees, the organization may submit such grievance in writing to the superintendent directly and the processing of such a grievance shall be commenced at Level Two. The employee organization shall designate not more than two spokespersons for the organization in processing such a grievance through the remaining levels of the grievance procedure. Provided, however, that the employee organization shall not be permitted to file or process a grievance with respect to an incident or occurrence on which an employee or group has already initiated a grievance.
- E. Meetings and hearings under this procedure shall not be conducted in public and shall include such parties and only such parties in interest and their designated or selected representatives heretofore referred to in this grievance procedure. The vote on the Board's decision on Level Three grievances shall be made in open session but the name of the aggrieved party shall not be disclosed.
- F. When it is necessary for a party or parties in interest to attend a board meeting or a hearing called during the working day, the superintendent's office shall so notify the party or parties in interest, principals or immediate supervisor, and the party or parties in interest shall be released without loss of pay for such time as their attendance is required at such meeting or hearing.
- G. At all hearings conducted under this procedure, the aggrieved person and the administrative representative may call witnesses and present evidence that is relevant to the matter being considered. The Board may request that other witnesses be called for questioning by the parties.