

**GRIEVANCES
OPERATING PRINCIPLES AND DEFINITIONS**

The purpose of this procedure is a constructive attempt to settle an employee's grievances and concerns at the lowest possible administrative level in order to ensure efficient operation of the business of the District and employee morale.

A "grievance" is an employee's means of formally or informally raising concerns about interpretations and/or alleged violations of contract, written policy or established regulations and procedures and provides channels for resolving grievances concerning alleged injustices or feelings of inequitable treatment.

A "grievant" is the certificated employee raising the concern. It is recommended that grievances involving more than one employee for the same specific issue be filed by the Association. A grievance filed by the Association on behalf of a group of employees eliminates the opportunity for these employees to file individually on the same complaint.

The approach to the handling of grievances should be more concerned with what is right and less concerned with who is right. Effective adjustment of grievances requires that all parties involved conduct themselves in a professional manner. Such a procedure shall be viewed as a positive and constructive effort which seeks to establish the facts upon which the grievance is based and come to a fair resolution. No employee will be prejudiced or discriminated against by the Board of Education or the administration because of his/her participation in the grievance procedure.

Nothing in this procedure limits the right of any employee to discuss any matter informally with any member of the administration. Every reasonable effort shall be made to settle an issue in dispute without resort to this grievance procedure.

The filing of a complaint does not excuse an employee from complying with administrative directives until such time as the issue is resolved.

Grievance proceedings shall be kept as confidential as possible at any level of the procedure. The administration will make every attempt to process complaints expeditiously.

The time limits contained within this policy shall not include Saturday, Sunday, holidays, mid-year or summer breaks. Such time limits may be extended by mutual agreement in writing of both parties. In order to meet time limits prescribed in the grievance procedure meetings at any level may be held, when necessary, during the contractual day with substitutes provided for certificated employees whose attendance is necessary. The director of personnel and the Association grievance chairperson shall coordinate meeting times and places for all conferences or hearings for Levels II through IV. Time limits may be waived to expedite the processing of any grievance that develops after May 1 of any school year.

Grievances will be processed in order received at all levels of the process.

District Code:

All Level I discussions shall be between the employee and the appropriate administrator. If, however, at this conference the grievant requests the presence of an advisor, the administrator may also have present an advisor of his/ her choice. Individuals so involved at Level I may continue in said role throughout the process, if required. No employee shall be required to discuss any grievance above Level I without an Association representative present, if so requested by the employee.

The Board and administration will cooperate with the parties involved in its investigation of any grievance, and further, will furnish the parties involved with such reasonable and appropriate information as is needed for the processing of any grievance.

Should the investigation or processing of any grievance require that an employee or his/her representative be released from his/her regular assignment, he/she shall be released without loss of pay or benefits.

All documents, communication and records the processing of a grievance will be filed separately from the personnel files of the participants.

Level I - Verbal Conference

Step A: An employee shall first discuss his/her concern with the principal or administrator who has the most direct relationship to the concern. This informal conference shall be an effort to resolve the issue, and shall occur within ten (10) work days of the occurrence causing the concern or discovery of the occurrence by the employee.

Step B: If after such conference the concern was not resolved, the employee may within three (3) work days following the conference present the grievance in writing to the same administrator.

This formal, written grievance shall contain the following:

1. A statement explaining the basis of the grievance
2. A summary statement in support of the grievant's position, which shall include reference to policies or procedures at issue, if any.
3. A specific request for the relief desired.
4. The grievant's signature.

Step C: The administrator shall within three (3) work days of receiving the written grievance respond by stating his/her position in writing. This response should include specific reasons for the administrator's position.

Step D: If the grievant desires further consideration of the grievance, he/she may within three (3) work days after receiving the administrator's written response, submit the written grievance to the director of personnel, thereby requesting a fact-finding conference.

Level II - Fact-Finding Conference

Step A: The director of personnel shall within three (3) work days of receipt of the written grievance, hold a fact-finding conference. The participants shall include the director of personnel, the PNEA grievance chairperson, the grievant, and others, as required.

Every effort will be made to resolve the issue and settle the grievance. All information pertinent to the grievance must be submitted during this conference.

Step B: Following the fact-finding conference, the director of personnel shall within three (3) work days confirm with the PNEA grievance chairperson the settlement reached, if any. A written confirmation of a settlement shall be then presented to the grievant by the director of personnel.

If settlement did not occur, the director of personnel shall within three (3) work day following the discussion with the PNEA grievance chairperson provide to the grievant a written statement of the administration's position on the matter.

A fact-finding record will be completed after each such conference, and shall indicate: persons in attendance, all documents, policies and procedures referenced, and each person used as a resource at the conference. The record will also indicate any settlement reached.

Step C: If the grievance is not settled and the grievant desires further consideration of the grievance, he/she may within five (5) work days after receiving the administration's written response, submit to the director of personnel a written request for a conference with the superintendent of schools.

Level III - Superintendent's Conference

Step A: Within five (5) work days of receipt of grievant's request, the superintendent shall discuss the grievance with the PNEA grievance chairperson and grievant in an effort to resolve the issue.

The superintendent shall be provided both the written grievance form and a record of the fact-finding conference prior to this discussion.

Step B: Following this conference, the superintendent shall within three (3) work days, communicate to the grievant in writing the settlement reached, if any.

If settlement did not occur, the superintendent shall within three (3) work days following the conference, provide to the grievant a written statement of the superintendent's position on the matter.

Step C: If the grievance is not settled and the grievant desires further consideration of the grievance, he/she may within five (5) work days after receiving the superintendent's written response, submit to the director of personnel a written request for a hearing with the Board of Education.

Level IV - Board of Education Hearing

Step A: At its earliest regularly-scheduled meeting following the grievant's request for a hearing, the Board shall consider the grievance. This hearing shall occur in closed session.

Participants shall include the superintendent, director of personnel, grievant and PNEA grievance chairperson and others, if required.

Step B: Following the hearing, the decision of the Board of Education and reasons for the decision shall be communicated in writing to the interested parties prior to the next regularly-scheduled Board meeting.

Adopted: June 8, 1982

Revised: June 26, 1984