

Policy: It is the policy to resolve differences as quickly and as informally as possible. Employees shall attempt to resolve problems through informal discussion with their supervisors. The resources of the Human Resources Department are also available. The purposes of this section are (1) to provide opportunity for discussion of any request or complaint, and (2) to establish procedures for the processing and settlement of grievances as defined.

Definition of Grievance: "Grievance," as used in this section, is limited to a complaint or request of an employee, which involves the interpretation or application of, or compliance with, the provisions of these personnel policies.

These procedures apply only to matters pertaining to school administration and personnel policies. Grievances concerning employee civil rights violations are delineated in the affirmative action policy.

Employees are entitled to a grievance procedure to protect their individual rights. It is the policy of the school that grievances will be fairly heard.

1. General provisions applying to grievances:
 - a. "Day", as used in this section, shall mean a business day.
 - b. All time limits set forth in this section shall be strictly observed except as the appropriate staff representative and employee may otherwise agree in a given case.
 - c. Grievances, which are not filed initially in the proper step of the grievance procedure, shall be referred to the proper step for discussion and answer by the School.
 - d. If any grievance is not disposed of in accordance with the provisions of this section, which includes discussion of the issue within the prescribed time in any step unless an extension of time has been mutually agreed upon, either party, after notifying the other party by notation on the grievance papers of such intent, may appeal to the next step.
 - e. In any grievance settlement involving retroactive payment, procedures for payment shall be negotiated within 10 days after such determination.

Procedure:

Any grievance must be initiated through the grievance procedure within 10 days of the occurrence of the event on which the grievance is based and shall be settled in the following manner.

1. Step 1

- a. Any employee who believes that he/she has a justifiable request or complaint shall discuss the request or complaint with the supervisor. If the supervisor and the employee, after full discussion, feel the need for aid in arriving at a solution, they may, by agreement, invite such additional employees from the School as may be necessary and available to participate in further discussion, but such additional participants shall not relieve the supervisor and employee responsibility for solving the problem.
- b. The foregoing procedure, if followed in good faith by both parties, should lead to a fair and speedy solution of most of the complaints arising out of the day-to-day operations of the School. Whenever either party notifies the other that further discussion of the complaint cannot contribute to its settlement, the supervisor shall then give his or her oral response to the complaint within three days.
- c. If the supervisor's response is not appealed to Step 2, as provided below, the grievance shall be considered settled on the basis of such response and shall not be eligible for further appeal.

2. Step 2

- a. In order for a grievance to be considered beyond Step 1 it must be filed in writing, in duplicate, with the Program Director within three days of the supervisor's oral response. It shall be dated and signed by the employee and include such information and facts as may be of aid to the School and employee in arriving at a fair, prompt, and informed decision. It shall include date of event, incident, policy violation, names of witnesses, date of attempts to resolve informally. The program director shall sign and date the grievance form and return one copy to the employee.
- b. The supervisor and the employee shall discuss grievances properly appealed to Step 2 within seven days following the date of appeal. They may, by agreement, invite such additional employees from the School as may be necessary and available to participate, but their attendance shall be limited to time required for their testimony and shall not relieve the Program Director and employee from the responsibility for solving the problem.
- c. Grievances discussed at this step shall be answered by the Program Director in writing no later than 10 days after the meeting.

- d. If the Program Director's decision in this step is not appealed to Step 3, as provided below, the grievance shall be considered settled on the basis of such decision and shall not be eligible for further appeal.

3. Step 3

- a. In order for a grievance to be considered further, written notice of appeal shall be served within 10 days after receipt of the Step 2 decision by the employee upon the Board of Trustees. Notice shall state subject matter of grievance and objections taken by either party to previous dispositions.
- b. Grievances properly appealed to Step 3 shall be discussed at a meeting between the Board of Trustees and the employee within 10 days following the date of appeal.
- c. They may, by agreement, invite such additional employees from the School as may be necessary and available to participate, but their attendance shall be limited to time required for their testimony and shall not relieve the Board of Trustees and employee from the responsibility for solving the problem. The grievance discussed in such meeting shall be answered, in writing, by the Board of Trustees within 10 days after the date of such meeting.
- d. The decision of the Board of Trustees is final.
- e. The Board shall hear all employee grievances and advise the employee within 20 days after the hearing of the action it takes, if any. The Board may elect to take no action or grant the relief or deny the relief or grant in part and deny in part.
- f. All employee grievances shall be heard by the Board at a closed session of the Board unless the grievant complains of conduct by another employee, in which case the employee whose conduct the grieving employee complains about may request in writing that the hearing be conducted in an open session of the Board.
- g. The Board will not hear any employee grievance unless the employee submits a complete written request for grievance hearing, having first followed the operating procedures of the School.
- h. The Board will not hear any employee grievance unless the employee states in writing the specific relief sought, and that relief must be within the power and authority of the Board to afford.
- i. The Board may refuse to consider any evidence or documents presented by the employee, which were not attached to the initial employee grievance form.
- j. The Board may elect not to consider any employee grievance on matters not clearly stated in the employee grievance form.

- k. The Board may elect not to grant any relief not clearly stated in the employee grievance form.
- l. At any hearing before the Board, the employee and his representative, if any, shall be limited to a time set by the President of the Board to present any evidence he wishes to be considered by the Board and present any argument in support. The Board may increase the amount of time where it appears appropriate.
- m. No cross-examination of witnesses shall be neither allowed nor formal procedures otherwise employed.
- n. The Board shall record the grievance hearing using a certified shorthand court reporter to record and transcribe the proceedings.

Grievance Form

Name: _____

Position Title: _____

Step 1: Informal Contact with Supervisor

Nature of grievance:

Employee Signature: _____ **Date:** _____

Contact with supervisor:

Date of hearing and disposition: _____

Supervisor Signature: _____ **Date:** _____

Step 2: Contact with Program Director

Date of appeal: _____

Date of hearing and disposition: _____

Program Director Signature: _____ **Date:** _____

Step 3: Contact with Board of Trustees

Date of appeal: _____

Date of hearing and disposition: _____

Board Rep. Signature: _____ **Date:** _____