

ESU #17 Grievance Procedure

Grievances

A Grievance Procedure has hereby been established by Educational Service Unit #17. The purpose of this grievance procedure is to secure, at the lowest possible level, equitable solutions to the problems which may periodically arise concerning the terms of employment and employment conditions of Educational Service Unit #17. An underlying principle of this grievance procedure is to ensure fair and equitable treatment of employees under the policies and regulations of Educational Service Unit #17.

Definitions

- A. Grievance: a claim by an employee that conditions exist that adversely affect terms and conditions of employment or a claim that there has been a violation, misinterpretation, or misapplication of board policy, administrative regulations, or negotiated agreement.
- B. Grievant: an employee making the claim as defined in Paragraph A above.
- C. Party of Interest: person or persons against whom the grievance is claimed.
- D. Time Limits: The time limits specified herein shall not include Saturdays, Sundays, or legal holidays. The number of days indicated at each level should be considered maximum and every effort shall be made at all levels to expedite the process. Failure of any grievant to comply with the limits contained herein shall constitute a waiver of rights to appeal to the next step.
- E. Grievance Meeting or Hearing: all meetings and hearings under this procedure shall be conducted in private. All parties shall have the right to record the proceedings of any hearing or meeting at all formal levels of the grievance procedure.

Procedure

Step 1: If a staff member feels that he/she has a grievance, he/she shall first discuss the matter with the party of interest. If the matter cannot be resolved, the grievant may file a written grievance with the grievant's immediate supervisor. The written grievance should include (1) a report of specific discriminatory acts, (2) dates of discriminatory acts, and (3) the dates, attempts and results of efforts to resolve the grievance. The supervisor shall within 10 days render an official written decision to both the grievant and the party of interest.

Step 2: If the grievant is not satisfied with the disposition of his/her problem at Step 1, he/she may submit his/her claim as a formal grievance in writing to the ESU #17 Administrator. Such claim must be submitted within 10 days of the decision rendered in Step 1 and the claim must contain all of the documentation stipulated in Step 1 plus written disposition of action, if any, taken in the Step 1 decision. The ESU #17 Administrator shall render his decision and the reasons therefor to the grievant within 5 days.

Step 3: If the grievant is not satisfied with the disposition of his/her grievance at Step 2, he/she may file within 6 days a written grievance requesting a hearing with the ESU #17 Governing Board. Within 30 days after receiving the written request, the ESU #17 Administrator and the Board shall meet with the grievant and the party of interest for the purpose of resolving the grievance. The decision

rendered by the Board shall be written within 5 days of this hearing. A full record of such hearing shall be kept by ESU #17 and made available to the persons involved upon written request.

Special Consideration

1. A grievance may be withdrawn at any level without prejudice.
2. Any party may be represented at all stages of the grievance procedure by himself/herself or by a representative of his/her choice.
3. No reprisals of any kind shall be taken by the Board or its representatives against any party.
4. Appeal to the Court Office of Civil Rights or appropriate office of the Department of Health, Education, and Welfare is not prohibited after exhausting all of the above procedure.