

GRIEVANCE PROCEDURE - NON CERTIFIED STAFF

I. DEFINITIONS

A. A "grievance" is a complaint by an employee or a group of employees based upon an alleged violation, misinterpretation, or inequitable application of any existing policies, rules or regulations of the school district as they apply to conditions of employment. The absence of or disagreement with existing policy, rules or regulations is not a "grievance".

B. The term "employee" is considered to apply to regularly employed personnel of the School Board other than the certified staff or employees under contract.

C. An "aggrieved person" is the person or persons making the claim.

D. A "party in interest" is the person or persons making the claim and any person or persons who might be required to take action or against whom action might be taken in order to resolve the problem.

E. The term "days" when used in this policy shall, except where otherwise indicated, mean calendar days.

F. Association shall mean any association of employees.

G. The Board shall mean the School Board of Watertown School District.

II. PURPOSES

A. The purposes of this procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems which may arise affecting the welfare or working conditions of employees.

B. All parties agree that these proceedings shall be kept as informal and confidential as may be appropriate at any level of procedure.

C. Nothing herein contained shall be construed as limiting the right of an employee having a problem to discuss the matter informally with any appropriate representative of the association at any time or to discuss the problem with other administrators for clarification of policies.

D. Any employee or group of employees has the right at any time to present any grievance to such persons or board through such channels as are designated for that purpose.

III. TIME LIMITS

A. Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered as maximum and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement in writing.

B. In the event a grievance is filed at such time that it cannot be processed by the end of the school year, the time limits set forth herein will be reduced so that the grievance

procedure may be completed prior to the end of the school year or as soon thereafter as it is practicable.

C. It is required that an employee file a grievance within thirty (30) days after the alleged violation.

IV. INFORMAL PROCEDURES

A. If an employee has a grievance, the matter should first be discussed with the employee's supervisor, or the person to whom the employee is directly responsible, in an effort to resolve the problem informally.

V. FORMAL PROCEDURES

A.– Level One - School Principal or Supervisor

1. If an aggrieved person is not satisfied with the disposition of the problem through informal procedures, a claim may be submitted as a formal written grievance to the principal or immediate supervisor.
2. The principal or supervisor shall within five (5) days render a decision and its rationale in writing to the aggrieved person.
3. The principal or supervisor shall keep on file a statistical summary of the number and types of grievances processed, not to include individual names or details of the grievances.
4. An employee who is not directly responsible to a building principal may submit his formal written grievance claim to the administrator to whom he is directly responsible. Said administrator shall carry out the aforementioned responsibility of the principal.

B. Level Two - Superintendent of Schools

1. If the aggrieved person is not satisfied with the disposition of the grievance at Level One, the aggrieved person may file, within 5 days of receipt of the principal's or supervisor's decision, a written appeal for a hearing with the superintendent of schools.
2. The superintendent of schools or a representative shall act for the administration at Level Two of the grievance procedure. Within ten (10) days after receipt of the written appeal for a hearing by the superintendent, the superintendent shall meet with the aggrieved person for the purpose of resolving the grievance. A full record of such hearings shall be kept by the superintendent and made available to the parties in interest upon written request and assurance of confidence. The superintendent shall within three (3) days of hearing render a decision and its rationale in writing to the aggrieved person.
3. The aggrieved person may request that up to two co-employees attend and participate in the meeting of the superintendent with the aggrieved person relating to the grievance presented to the superintendent.

C. Level Three - School Board

1. If the aggrieved person is not satisfied with the disposition of his grievance at Level Two, or if no decision has been rendered within three (3) days after the first meeting with the

superintendent, the grievance may be filed with the School Board within five (5) days after a decision by the superintendent, or ten (10) days after the first meeting with the superintendent, whichever is sooner.

2. After receiving the written appeal, the Board may appoint a fact finder to review the grievance and its processing to this point and to report to the Board prior to its meeting with the aggrieved person for the purpose of resolving the grievance. The decision of the Board shall be rendered in writing within five (5) days.

D. Level Four - Statutory Appeal

1. If, after following the grievance procedure enacted by the governing body, the grievance remains unresolved, it may be appealed pursuant to law within sixty (60) days of the final decision.

E. These procedures shall not be construed so as to prevent any individual on his/her own initiative from exercising the procedural rights accorded an association.

VI. RIGHTS OF PARTICIPATION

A. No reprisals of any kind shall be taken by any party against any other participant in the grievance procedure by reason of such participation.

B. All parties in interest may be represented at all levels of the formal grievance procedure by persons of their own choosing.

VII. MISCELLANEOUS

A. If a grievance affects a group or class of employees, the group or class may submit such grievance in writing to the superintendent directly, and the processing of such grievance shall begin at Level Two.

B. Decisions rendered at all levels of the formal grievance procedure shall be in writing setting forth the decision and its rationale.

C. All documents, communications and records dealing with the processing of a grievance shall be filed separately from the personnel files of all participants.

D. Forms for filing and processing grievances and other necessary documents shall be prepared by the superintendent and made available through building principals so as to facilitate operation of the grievance procedure.

E. The sole remedy available to any employee for any alleged breach of this policy or any alleged violation of employee rights hereunder shall be pursuant to the foregoing grievance procedure provided, however, that nothing contained herein shall deprive any employee, administrator or Board of any legal right.

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