

EMPLOYEE GRIEVANCES

FAQ's

Q. What topics can be grieved?

- A. Complaints under this policy shall be limited to allegations of violations of specific written Board policy, specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability, or on the basis of the employee's exercise of constitutional rights. [See DIA(LOCAL)] A complaint must specify the individual harm alleged. Topics may center on evaluations, salary disputes, grading policies, sick leave and other appropriate employee to employer issues regarding an employees' condition(s) of work.

Q. Can a grievance be denied if proper grievance channels have not been followed?

- A. If a grievant fails to follow the district's local grievance process, the board may deny the grievant the opportunity for a hearing on the merits.

Q. Can a grievance be settled during the comment section of a board meeting?

- A. A grievant who appears during the open comment portion of a board meeting has not properly invoked the district's grievance policy.

Q. How can individuals initiate the grievance process?

- A. Completing the district complaint form found in Exhibits DGBA as found in the addendum to this section and/or completing a formal complaint in writing to principal or immediate supervisor.

Q. Which policies govern the grievance process?

- A. DGBA (LOCAL) for employee grievances;
FNG (LOCAL) for student and parent grievances; and
GF (LOCAL) for grievances by all others, including vendors and taxpayers

Q. What is the timeline for filing a grievance?

- A. Grievances must be filed within 30 business days of the time the grievance knew or should have known of the event giving rise to the grievance. Timelines are strictly followed unless modified by mutual written consent.

Q. Is there an appeals process for grievances filed outside of the established timeline?

- A. Yes. Even when a grievant apparently fails to file a timely grievance, the district should permit the grievant to proceed through all levels of the grievance process if the grievant wishes to argue that the complaint is timely.

Q. Can a grievant be represented by an attorney?

A. An employee (or group of employees) may be represented at any level by an attorney or any other person or organization that does not claim the right to strike.

Q. Can a district be represented by an attorney?

A. A school district may involve attorneys either to offer advice about handling grievances or to appear at grievance hearings.

Q. Who pays for legal fees for attorney representation?

A. Each party to a grievance is responsible for paying its own costs.

Q. What are the levels of the grievance process?

A. Level One – Formal complaint filed in writing to principal or immediate supervisor;
Level Two – If no Level One resolution, employee may appeal directly to the Superintendent or Superintendent’s designee; and
Level Three – If no Level Two resolution, employee may appeal directly to the Board of Trustees.

Q. What happens at a grievance hearing?

A. The grievant has a chance to state their case. The administration will have a chance to respond. The board then considers and decides the grievance. The hearing will be recorded at Levels 2 and 3.

Q. What happens if a board cannot make a decision?

A. If the board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response upholds the administration’s decision at the preceding level and the timeline for appeal to the commissioner begins to run.