

Staff Concerns/Complaints/Grievances

Purpose

The purpose of this procedure set forth in this Article is to secure, at the lowest possible administrative level, equitable solutions to the problems which may from time to time arise and which are alleged to constitute a violation, misinterpretation or misapplication of the terms of this Agreement.

Informal Complaint

A teacher who believes that there has been a violation, misinterpretation or misapplication of this the Master Agreement shall first discuss such complaint with the principal or responsible administrator with the objective of attempting to resolve the matter informally. If the complaint is not successfully resolved within five working days after such discussion, the teacher may file a grievance.

Level One

If the complaint has not been resolved informally, a grievance may be filed with the principal or responsible administrator. The grievance shall contain a concise written statement of the provisions of this Agreement which were allegedly violated, misinterpreted or misapplied, and the relief requested. A grievance must be filed within ten working days from the date of the grievant knew or should have known of the occurrence of the event giving rise to the grievance. A grievance may be filed by an individual teacher, a group of teachers or the Association as a class grievance.

The principal or responsible administrator shall either respond to the grievance in writing within ten working days after receipt of the grievance, or request a meeting with the grievant and the Association to discuss the grievance. If a meeting is requested, the grievant, the Association and principal or responsible administrator shall meet and discuss the grievance within five working days after the meeting has been requested. The principal or responsible administrator shall then have fifteen working days after the meeting in which to respond to the grievance. A copy of such response shall be provided to the grievant and the Association.

Level Two

In the event a grievance has not been satisfactorily resolved at Level One, the grievant or the Association may file a copy of the grievance with the Superintendent within ten working days of the administrator's written response at Level One. Within ten working days after such written grievance is filed with the Superintendent, the grievant, the Association and the Superintendent shall meet to consider the grievance. The Superintendent shall respond to the grievance in writing within ten

working days of such meeting in writing to the grievant. A copy of such response shall be provided to the grievant and the Association.

Level Three

If the grievance is not resolved satisfactorily at Level Two, it may be submitted to mediation at the request of either party. The parties shall then request the Federal Mediation and Conciliation Services, or another mutually acceptable mediator, to provide staff assistance without cost to the parties. Meetings between the parties may be separately or together at the request of the mediator. If mediation fails in whole or in part, the mediator shall report the grievance issues that remain in dispute to the respective parties.

Right to Be Present; Right to Representation

A grievant shall have the right to be present at all meetings related to the grievance and, at the option of the grievant(s), may be represented at such meetings by a representative of the Association.

No Retaliation

The Board, the Association, nor any member of the administrative staff of the District shall retaliate against a teacher because the teacher has participated in the grievance process.

Failure To Comply With Time Deadlines

Failure to file a grievance within the required time, or failure to appeal the grievance to the next level within the required time, shall constitute a waiver of the grievance. The failure of the responsible administrator to render a decision on a grievance within the required time shall constitute a denial of the grievance and permit appeal of the grievance to the next level. In such instance, the appeal deadline shall be calculated from the date the administrator missed the deadline to respond.

August, 2000

[Revised June, 2003]

Lake County School District R-1, Leadville, Colorado