

GRIEVANCE PROCEDURE

This Grievance Procedure, hereinafter referred to as "Procedure," stipulates the conditions under, and the procedures by which, grievances alleged by certain certificated school employees as defined in this agreement shall be processed. If any such grievances arise, there shall be no stopping or suspension of work because of such grievances; but such grievances shall be submitted to the following grievance procedures.

A. Definitions - As used in this Procedure

1. "Grievance" means and shall be limited to, an alleged violation of a specific article or section of this written agreement.
2. "Director" means the chief administrative officer of the school corporation or any person(s) designated by him/her to act in his/her behalf in dealing with certificated school employees.
3. "Grievant" means the certificated school employee(s) directly affected by the alleged violation making the claim.
4. "Days" mean calendar days.

B. Structure

1. The grievant shall be represented by the Federation at all formal levels of the Procedure, limited however to a total of two (2) representatives.
2. There shall be no additional allegation or remedy submitted by the grievant or his/her representative during the grievance process once a formal grievance has been filed at Formal Level One.

C. Procedure

1. The number of days indicated at each level should be considered as maximum. The time limits specified may, however, be extended by mutual agreement of the grievant and the Board.

2. Informal Grievance

Within forty-five (45) days of the time the grievant first knew or reasonably should have known of the act or condition upon which it is based, the grievant must present the grievance to his/her Director or immediate supervisor or his/her designee by meeting with him/her individually and privately, in an informal manner during non-instructional hours. Failure of the grievant to so meet and discuss said alleged grievance provided herein shall prevent the grievant from pursuing the other grievance levels (s). Within seven (7) days after presentation of the grievance, the Director or immediate supervisor or his/her designee shall give his/her answer orally to the grievant.

D. Formal Grievance

1. Level One: Within ten (10) days of the oral answer, if the grievance is not resolved, it must be filed by the grievant with the Director or his/her designee in writing, signed by the grievant and the Federation Grievance Chairman on the forms attached hereto as Appendix C. Within seven (7) days after receiving the written grievance, the Director or supervisor or his/her designee shall communicate his/her answer in writing to the grievant.
2. Level Two: In the event the grievance is not resolved at Level One, or if no written decision has been rendered within the time limit provided, the grievant may submit the grievance to the Board provided the grievant files said written appeal with the Board within seven (7) days of the receipt of the Director's answer.

Upon receipt of said appeal, the Board shall hold a hearing and rule within sixty (60) days on the disposition of the grievance. The ruling must be in writing. If allowable by the law, the hearing shall be in executive session of the Board and not a public meeting, but at a specific designated time. At least ten (10) days' written notice of the hearing shall be given grievant and the Federation Grievance Chairman.

E. Miscellaneous

1. All documents, communications and records dealing with the grievance shall be filed separate from the personnel files of the grievant.
2. Any hearing on a grievance must be held during non-instructional hours.
3. Only days when school is in session will count in the time allotments for grievance procedures