

GRIEVANCE

ARTICLE NUMBER: 317

LAST APPROVED: June 2, 2008, May 2, 2016, February 5, 2018

REFERENCE: 318, 317.4

DEFINITIONS: 317.1

- A. A "grievance" is a claim by an employee, or a group of employees, of a violation of the terms of their employment.
 - a. Allegations or complaints of discrimination based on race, creed, religion, color, national origin, handicap, age, sex, or marital status as protected are excluded from this procedure and shall be processed through College Affirmative Action grievance procedures (Article 318) or the appropriate state and federal agencies.
- B. "Informal grievance" is that stage of a grievance procedure involving the grievant and the person responsible for the alleged grievance.
- C. "Formal grievance" is that stage of grievance proceedings other than informal grievance. Formal grievance proceedings commence with the giving of written notice as herein provided.
- D. "Parties or persons directly involved" mean the grievant, the person responsible for the alleged grievance, the Board of Education, any other employee including the College President, who has rendered prior decision in processing the grievance.
- E. "Day" as used herein refers to a working day.
- F. The "Grievance Officer" is appointed by the College President

BOARD GRIEVANCE PROCEDURES: 317.2

The Board agrees that:

- A. The grievant has the right to be assisted by counsel at all stages of the grievance procedure at the grievant expense.
- B. Management has the right to be assisted by counsel at all stages of the grievance procedure.
- C. The grievant shall be allowed time away from their jobs without loss of pay when required to attend meetings with Management for the purposes of adjusting grievances under the procedures defined herein.
- D. A grievance may be withdrawn at any time.

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- E. Time limits may be extended by mutual agreement. If either party fails to comply with the established time limits, the grievance shall be declared settled in favor of the other party.
- F. There shall be no restraint, interference, discrimination, or reprisal against an employee who uses these procedures for resolving a grievance.

INFORMAL GRIEVANCE PROCEDURE: 317.3

- A. The Board agrees that every attempt should be made to resolve grievances at the lowest level possible. The grievant and the person responsible for the alleged grievance shall meet to attempt to resolve the grievance on an informal basis. Another administrative-level employee may be requested by mutual consent of the parties to assist in the resolution of the grievance at the informal level.
- B. The grievant may invoke the formal grievance procedure if the grievance is not resolved during the informal process.

FORMAL GRIEVANCE PROCEDURE: 317.4

- A. The grievant shall submit to the Grievance Officer a written complaint which shall specify the factual details of the violation, and the remedy requested. This statement shall be the basis for any further formal consideration of the grievance and requested remedy and shall not be materially altered when presented for consideration at various steps in the grievance process unless new facts or evidence appear.
- B. No grievance shall be heard unless it is submitted pursuant to Article 317.4, Paragraph A within thirty days of the grievant knowledge of the facts giving rise there to. If there is more than one grievant, they must all meet this time limit. Any grievant not meeting this time limit shall be dropped from the grievance.
- C. A meeting between the Grievance Officer and the grievant shall occur within seven (7) days of the written complaint.
- D. The Grievance Officer shall issue a written decision within seven (7) days of such meeting as to whether or not the facts support the grievant's complaint and the remedy and state the rationale for the decision.
- E. If the grievant is not satisfied with the written determination of the Grievance Officer, the grievant may, within seven days, file a written notification with the College President.

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- a. Within seven (7) days of the written notice, the College President shall meet with the grievant and discuss the grievance. The grievant may present written or oral evidence in support of the written complaint. A formal record shall be made of these discussions.
 - b. Within seven (7) days of the written notice, the College President shall issue a written decision providing copies to the parties directly involved. The decision of the College President shall be final.