

Personnel - Certificated EmployeesGrievances

Grievance Procedure

The purpose of this grievance procedure is to secure, at the lowest possible level, equitable solutions to the problems that may, from time to time, arise concerning the interpretation, application, or meaning of the terms and conditions of employment in the School District. An underlying principle of the grievance procedure is to ensure fair and equitable treatment to the School District's employees.

Definitions

Association – The recognized bargaining unit for the teacher(s).

Grievance – Any claim or claims by an employee, a group of employees, or the Association that there has been a violation, misinterpretation, or misapplication of any terms and conditions of employment including, but not limited to, the terms of the negotiated agreement and School District policies.

Grievant – Employee, a group of employees, or the Association making the claim as provided in the paragraph above.

Time Limits – All time limits herein shall consist of full-time teacher service days as identified on the school calendar approved by the Board of Education. The number of days indicated at each step of this procedure should be considered maximum, and every effort shall be made at all steps to expedite the process. Failure of any grievant to comply with the time limits contained herein shall constitute a waiver of right to appeal to the next step. Failure of the Board of Education or its representatives to comply with the time limits at any step shall permit the grievant to appeal the grievance to the next step.

Grievance Meetings or Hearings – All meetings and hearings held under this procedure up to and including Step II shall be conducted in private and shall include only the administration's representatives, the grievant, and the grievant's designated representatives. Association representatives shall have the right to be present during all meetings and hearings as provided herein. All parties shall have the right to record the proceedings of any hearing or meeting at all steps of the grievance procedure.

Association Representation

A grievant shall have the right to have Association representatives present to represent the grievant at each level of the grievance procedure. Where a grievant chooses to not have an Association representative assist them, the Association, at its discretion, may have representatives present for any meetings, hearings, appeals, or other proceedings relating to a grievance which has been formally presented. Nothing herein shall be construed as limiting the

right of any employee to discuss their grievance informally with their immediate supervisor and having the grievance adjusted informally.

The Association shall be notified in writing of the issues and the settlement before any settlement becomes effective. The settlement shall not be inconsistent with the terms of the negotiated agreement.

Reprisals

No reprisals of any kind shall be taken against any employee who utilizes this grievance procedure.

Withdrawal of a Grievance

An employee may withdraw their grievance at any step of the procedure without fear of reprisal from any party. Where representatives of the Association feel that the issues involved should be resolved, the Association may assume the grievance at the point discontinued by the individual and proceed through the remainder of the procedure.

Advanced Step Filing

The grievance shall be initially filed at the step where the decision resulting in the grievance was made.

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Informal Resolution – The parties believe that it is usually most desirable for an employee and their immediate supervisor to resolve problems through free and informal communications. When requested by the employee, a representative of the Association may assist in this informal resolution. However, when the grievance remains unresolved, then the grievance shall be processed as follows:

Should grievances arise between the School District and a teacher or teachers relating to terms and conditions of employment set forth in the negotiated agreement between the School District and a teacher(s) or the recognized bargaining unit for the teacher(s), such grievances shall be taken up for resolution under the following procedure within thirty (30) calendar days after the action which is the subject of the grievance. All time periods which require a meeting shall be extended by the number of days in which the meeting is delayed by the unavailability of a participant.

Step I: A written grievance shall be presented by the grievant to the building Principal or the grievant's supervisor within thirty (30) calendar days of the event(s) giving rise to the grievance.

Step II: A meeting with the Principal or the grievant's supervisor, the grievant, and a bargaining unit representative (if applicable) shall be held within three (3) school days of the filing. The building Principal or immediate supervisor of the grievant will, within five (5) school days

thereafter, present a decision thereon in writing to the grievant(s).

Step III: If a satisfactory adjustment of such grievance shall not thereby be reached, it may be presented in writing to the Superintendent, or his/her designee, within five (5) school days of receipt of the Principal's or the grievant's supervisor's decision. The Superintendent, or his/her designee, will, within five (5) school days thereafter, present a decision thereon in writing to the grievant(s).

Step IV: If a satisfactory adjustment of such grievance shall not thereby be reached, it may be presented in writing to the Board of Education within five (5) school days of receipt of the Superintendent's, or his/her designee's, decision. Within thirty (30) school days after receiving the written appeal, the Board of Education or a committee of the Board shall meet with the aggrieved person(s) and with the representative(s) of the recognized bargaining unit (if applicable) for the purpose of resolving the grievance. The decision of the Board of Education shall be rendered in writing within ten (10) school days.

Legal Source: Neb. Rev. Stat. 48-837

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