

6.40.1 - Employee Grievances

Employee Grievances

GRIEVANCES

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The Alexander City Board of Education is committed to the task of maintaining the highest possible level of professional relations among members of the staff of the school system and of maintaining good morale among employees. Grievances and problems which may arise from time to time should be resolved at the lowest possible level that provides equitable and satisfactory solutions. The goal is to encourage the best possible relations among employees and to enhance morale. Persons who may become concerned in grievance matters are urged to work together constructively in a sincere effort to resolve their disagreements.

It shall be understood that the Board is the final authority in all matters pertaining to grievances unless an employee should desire to exercise proper redress through the courts or utilize appeal procedures as established by law.

Definitions

1. Grievance – A grievance is a complaint by an employee based upon an alleged violation, misinterpretation or inequitable application of any published policy, rule or regulation of the school system. The term grievance should not apply to any matter in which the method of review is prescribed by law. Grievances are objections to a specific act or condition. Dismissals, terminations, transfers and any other procedures already established by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the grievance procedures herein described.
1. Employee – The term employee is considered to apply to anyone employed on a full time or part-time basis by the Alexander City Board of Education, with the exception of the Superintendent.

1. Supervisor – This term refers to that individual assigned to direct the work efforts of a person or group of persons within an organizational element and who has both the oversight and responsibility for management in respect to the functions of a defined organizational element. In a school, the principal would be the supervisor unless the job description states otherwise.

1. Organizational Element – The term organizational element is any identifiable segment of the system that is clearly under the supervision of a single individual. This would include a school, a center and any support function.

1. Representative – The term representative refers to any person chosen, if desired, by the aggrieved party to serve as the liaison supervisor.

Procedures

1. Informal Procedure

Hopefully, most grievances can be resolved informally and at the most immediate administrative level. With this objective in mind, simple, honest and straightforward communication is encouraged between the employee, the principal and the Superintendent. An employee who feels he/she has a grievance should present the matter orally to the immediate supervisor or whomever is in a position to deal most effectively with the problem. The immediate supervisor or other appropriate person to whom the grievance is presented shall hear and attempt to resolve the grievance within five (5) days from the time presented and advise the grievant of the decision within forty-eight (48) hours thereafter. If the grievance is resolved, or if no further action is needed, the matter is closed. If an employee feels his/her grievance has not been resolved, he/she may resort to the formal procedure.

Formal Procedure

In order to resolve grievances in the most appropriate fashion and in the shortest period of time possible, each grievant should start at the most immediate level of administration and progress to the next level until the matter is resolved. A grievance may be heard before the following

Administrative levels: Principal, Superintendent and the Board. If a level does not apply to a particular grievant, that level should be omitted from the process.

A completed Grievance Notification and Report Form must be filed at each administrative level and the grievant shall indicate with his/her filing at each level that will accompany or represent him/her in any meetings or hearings that might be conducted.

All meetings and hearings shall be conducted at a specified time that does not interfere with the employee's workday or the normal operation of the schools. Scheduled meetings or hearings can be changed with mutual consent of the parties in interest.

All records of meetings and hearings shall be maintained in confidence; however, this shall not be interpreted to prevent such records from becoming a part of the grievant's personnel file.

Grievances, as defined, will be heard at all levels within ten (10) days of receipt of written requests. All decisions rendered at each level shall be set forth in writing and transmitted to all parties in interest within ten (10) days. Within ten (10) days after the receipt of a decision, the aggrieved party may appeal to the next level.

The decision at the Board level shall be the final step in this administrative procedure.

Although this grievance procedure shall be updated from time to time as necessary, this policy shall defer to the present Code of Alabama at all times.

REFERENCE(S):

CODE OF ALABAMA

16-12-3(c), 16-12-16, 16-12-19, 16-23-1, 16-24-12

Title VII of Civil Rights Act of 1964

HISTORY:

ADOPTED: JUNE 12, 1996

REVISED: JULY 13, 2010

FORMERLY: GAE