

EMPLOYEE GRIEVANCES

6.41

The Henry County 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.

Whenever a Henry County School System employee believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees can resort to the more formal procedures as provided herein.

Definitions

- I. 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.
- II. Employee – The term *employee* is considered to apply to anyone employed on a full time or part-time basis by the Henry County Board of Education, with the exception of the Superintendent.
- III. 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 authority over 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.
- IV. 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.
- V. Representative – The term *representative* refers to any person chosen, if desired, by the aggrieved party to serve as the liaison supervisor.

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- VI. Complaint – The term *complaint* shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition. Dismissals, termination, transfers and any other procedure already instituted by law, as well as performance appraisals, including assessments, observations and evaluations, are not subject to the grievance procedure herein described.
- VII. Complainant – The term *complainant* shall mean any employee or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
- VIII. Employer – The term *employer* shall mean the Henry County Board of Education or its representatives.
- IX. Day – *The term day* shall mean a working day.
- X. Time Limits – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- XI. Released Time – The complaint procedure will normally be carried out during non-work time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.
- XII. Complaint Procedure
- A. Informal Discussion – If an employee believes there is a basis for complaint, he/she shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment involving the supervisor, in which case the complainant shall report to the Equity Coordinator or other person designated by the Superintendent) within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- B. Level One – If the complainant is not satisfied with the informal resolution, he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant within five (5) days. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.

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- C. Level Two – If the complainant is not satisfied with the resolution at level one, he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.

 - D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent’s decision to the Henry County Board of Education, provided request for placement on Board agenda is filed within ten (10) days. The Board shall schedule a hearing within ten (1) days after receiving the notice of appeal. Written notice of the Time, date, and place of the hearing shall be provided to the complainant. After consideration of all arguments, discussions, and related documents, the Board’s decision shall be presented in writing to the complainant.
- XIII. Confidentiality will be provided to the extent possible to any employee, student or affected party who alleges discrimination or harassment.
- XIV. No reprisals shall be taken against any person or groups of persons as a result of having presented a grievance.

REFERENCE(S):

CODE OF ALABAMA
[16-8-8 TO -9](#), [16-9-23](#), [16-23-1](#),
TITLE VII OF CIVIL RIGHTS ACT OF 1964, TITLE IX OF
EDUCATION AMENDMENTS OF 1972

HISTORY:

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FORMERLY: GAE, GAEA, 6.40.1