

## **CHAPTER 6.00 - SCHOOL ADMINISTRATION**

### **6.48\* - Grievance Procedure for Employees Excluded From the Bargaining Unit**

#### **POLICY**

Whenever an employee feels that he/she has a grievance, including allegations of discrimination, every effort shall be made to arrive at a satisfactory solution of the problem on an informal basis. When this cannot be done, resort shall be to the more formal procedures provided herein in an effort to resolve a grievance. Confidentiality and protection from retaliation will be provided to the extent possible to any employee, applicant or affected party who alleges discrimination or harassment.

The grievance procedure for employees excluded from bargaining units shall be as follows:

(1) Step 1

Any employee with a grievance shall advise his/her immediate supervisor or the Director of Personnel of said grievance in writing, and a copy of the said grievance shall be sent to the Superintendent. The written statement of the said grievance must be delivered within sixty (60) days of the alleged violation.

(2) Step 2

Any employee receiving a written grievance shall arrange a meeting with the aggrieved employee within ten (10) days following the date of the receipt of the grievance.

(3) Step 3

If the grievance is settled in Step 2 above, the supervisor receiving the grievance shall notify the Superintendent that the matter has been settled. If the grievance is not settled as a result of the aforementioned meeting and if the aggrieved wishes to seek some other solution to the matter, Step 4 should be pursued by the aggrieved employee.

(4) Step 4

The aggrieved employee shall submit directly to the Superintendent's designee, a statement of his/her grievance and the results of his/her meeting with his/her immediate supervisor. The Superintendent's designee shall immediately notify the immediate supervisor of the contents of the written grievance and a written statement of circumstances shall be submitted by him/her to the designee within ten (10) days.

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Within five (5) days after receipt of the immediate supervisor's report, the designee shall meet with the immediate supervisor, the aggrieved employee, and any other persons that may be involved. If, as a result of this meeting, no solution is found, the grievance shall proceed to the Superintendent's level.

### **(5) Step 5**

The Superintendent's designee shall, within five (5) days, submit to the Superintendent the aggrieved employee's petition, the immediate supervisor's response to the petition, and his/her written statement describing the events which occurred in Step 4. The Superintendent shall, within five (5) days, meet with the aggrieved employee and any other persons who, in his opinion, should be consulted. The Superintendent shall make recommendations pertaining to the matter to all parties concerned. If the Superintendent's recommendations are not acceptable to the aggrieved employee, he/she may request a hearing before the School Board.

### **(6) Step 6**

Upon receipt of the aggrieved employee's request for a hearing, the School Board will hold a hearing to examine all available data relating to the grievance. The aggrieved employee shall be given due notice as to the date of the hearing. At the hearing, the School Board attorney will be present and the employee may be represented by his/her own attorney. The School Board's decision relative to the grievance shall be final.

### **(7) Step 7**

The decision of the School Board does not preclude the aggrieved employee from seeking redress to the alleged wrong in a court of competent jurisdiction.

**\*\*Any grievance filed by an applicant for employment shall proceed directly to the Director of Personnel at Step 2.**

**STATUTORY AUTHORITY:** 1001.41 (2), 1001.42 (17), F.S.

**LAWS IMPLEMENTED:** 1001.42 (4) (5), 1001.49 (4), 1012.27 (7), 447.401, F.S.

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