

**EMPLOYEE GRIEVANCE PROCEDURE**

Personnel

3021

APPROVED: 3/25/75

REVISED: 4/21/81; 9/22/87

Any employee may register a grievance when he believes he has been improperly treated by the misinterpretation or violation of the Birmingham City Schools policies, laws, or administrative regulations or procedures, or alleged, unfair, discriminatory, unreasonable or abusive treatment. Employee evaluation shall not be the subject of the grievance procedure described herein. In their effort to secure consideration, adjustment, or settlement of grievances, employees shall be free of interference, restraint, coercion or reprisals. It is desirable that problems be resolved at the earliest possible time and at the most immediate level of supervision. If any employee believes he may have a grievance, he shall advise his immediate supervisor of his concern and request explanation or relief. For teachers and all other local school personnel, the principal shall be the person to whom they report. The principal or supervisor will hear the concern and offer a response. If the employee is not satisfied, he or she may initiate a formal grievance according to the following procedures:

Step 1

The grievance must be submitted in writing to the principal or immediate supervisor within 15 working days of when the problem occurred or should have been known. The grievance shall site the reasons and nature of the complaint and be signed by the employee on the board approved grievance form. The supervisor will afford the employee a hearing if one is requested or may call a meeting on his own initiative. If the grievance is not within his authority to resolve, he shall advise the employee to appeal to the next supervisory level. The employee may be accompanied by one advisor of his choosing. Within (5) working days of the receipt of the grievance, the supervisor will provide the grievant a reply in writing.

Step 2

If not resolved to his satisfaction, the grievant may, within five working days of the receipt of the supervisor's reply, forward his grievance and the supervisor's reply to the next appropriate supervisory level. The supervisor or his designee will afford the grievant a hearing if he requests it or schedule one on his own initiative. The grievant may be accompanied by one advisor of his choosing. Within 5 working days of the receipt of the grievance, the supervisor will provide the grievant a reply in writing.

Step 3

If not resolved to his satisfaction, the employee may, within five working days, forward his grievance with his immediate supervisor's and second level supervisor's replies to the Superintendent. To advise the Superintendent, a Grievance Committee of three persons will be established. The grievant will designate one person to be on the committee, and all experiences borne by the participation of this person will be borne by the grievant. The Superintendent will designate one person and any expenses incurred will be borne by the School System. A third person for the committee shall be jointly selected by the grievant and the Superintendent. Any expenses incurred shall be equally shared. Within five working days of the superintendent's receipt of the Level 3 grievance request, he or his designee will schedule a meeting to jointly select a 3<sup>rd</sup> party neutral and name both parties' designees. The Committee shall schedule a hearing within five days of appointment at a time agreeable to the grievant. The Committee shall render its decision and transmit its recommendation along with a record of its findings to the Superintendent within five working days of the hearing. The Superintendent will render his decision and transmit it in writing within five working days of his receipt of the Committee's recommendation.

Step 4

If the grievance is not resolved to his satisfaction, the employee may request a review by the Board of Education. The Board will grant a hearing within 15 working days of the grievant request. The grievant may be accompanied by one advisor of his choosing at the hearing. After the hearing, the Board will render its decision within five working days of the hearing. The decision will be transmitted to the employee in writing. The decision of the Board is final.

Although the above procedures prescribes time limits, every effort will be made to resolve grievances in less time insofar as possible. The failure of the employee to appeal any decision to the next step within the time set forth for such appeal shall be considered an abandonment of his grievance unless modification of the time limits are approved by the Superintendent.

*The above procedures in no way replace appeal procedures available to employees as specified by Alabama Statute.*