

## EMPLOYEE GRIEVANCE PROCEDURE

Any employee may register a grievance when he/she believes he/she 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/she may have a grievance, he/she shall advise his/her immediate supervisor of his/her 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/she may initiate a formal response. If the employee is not satisfied, he/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 cite 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 conference if one is requested or may call a meeting on his/her own initiative. If the grievance is not within his/her authority to resolve, he/she shall advise the employee to appeal to the next supervisory level. The employee may be accompanied by one advisor of his/her choosing. Within (15) 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/her satisfaction, the grievant may, within (5) working days of receipt of the supervisor's reply, forward his/her grievance and the supervisor's reply to the next appropriate supervisory level. The supervisor or his/her designee will afford the grievant a conference if he/she requests it or schedule one on his/her own initiative. The issues presented at this level shall be limited to those set forth in the initial grievance form. The grievant may be accompanied by one advisor of his/her choosing. Within (15) 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/her satisfaction, the employee may, within (5) working days forward his/her grievance with his/her 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

expenses borne by the participation of this person will be borne by the grievant. The Superintendent will designate one person and any expense 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 (5) working days of the Superintendent's receipt of the Level 3 grievance request, he or his designee will contact the grievant to schedule a meeting to jointly select a 3<sup>rd</sup> party neutral and name both parties' designees. The Committee shall schedule a conference within (15) working days of appointment at a mutually agreeable time. The Committee shall render its decision and transmit its recommendation along with a record of its findings to the Superintendent within (15) working days of the hearing. The Superintendent will render his decision and transmit it in writing within (5) working days of his receipt of the Committee's recommendation.

#### Step 4

If the grievance is not resolved to his/her satisfaction, the employee may request a review by the Board of Education within (5) working days of receipt of the Superintendent's decision. The Board will grant a conference within (15) working days of the grievant's request. The Board's review shall be limited to the issues set forth in the initial grievance form. The grievant may be accompanied by one advisor of his/her choosing at the conference. After the conference, the Board will render its decision within (5) working days of the conference. The decision will be transmitted to the employee in writing.

The decision of the Board is final.

Although the above procedure 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/her 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.

PERSONNEL

BIRMINGHAM CITY SCHOOLS  
GRIEVANCE REPORT FORM

Name of Grievant \_\_\_\_\_

Worksite \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Date Filed \_\_\_\_\_

Statement of Grievance

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Relief Sought

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Request Meeting      Yes \_\_\_\_\_ No \_\_\_\_\_

Grievant's  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Received By \_\_\_\_\_ Date \_\_\_\_\_

Meeting Date \_\_\_\_\_

LEVEL I  
LEVEL I REPOSE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Signature/Superintendent

Designee \_\_\_\_\_ Date \_\_\_\_\_

Signature/Grievant Representative \_\_\_\_\_ Date \_\_\_\_\_

Signature/3<sup>rd</sup> Party Neutral \_\_\_\_\_ Date \_\_\_\_\_

Superintendent

Accept Recommendation \_\_\_\_\_

Reject Recommendation \_\_\_\_\_

Date \_\_\_\_\_

Response

Accept (Issue Resolved) \_\_\_\_\_

Reject (Appeal to School Board) \_\_\_\_\_

APPEAL TO SCHOOL BOARD

Date Submitted \_\_\_\_\_

Hearing Date \_\_\_\_\_

<p><b>SCHOOL BOARD DECISION</b></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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Signature/President of School Board or Designee \_\_\_\_\_

Date \_\_\_\_\_

\*Decision of the Board is final.