

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY

4211

GRIEVANCE PROCEDURE:
**APPLIES TO ALL EMPLOYEES EXCEPT TEACHERS, EMPLOYEES SUBJECT TO A
COLLECTIVE BARGAINING AGREEMENT AND EMPLOYEES ON LIMITED
CONTRACTS FOR PERSONAL SERVICES**

Purpose

Good morale is maintained if, as problems arise, a sincere effort by all persons concerned is exerted to work toward constructive solutions in an atmosphere of courtesy and cooperation. The purpose of this procedure is to secure, at the nearest administrative level, equitable solutions to the problems which may, from time to time, arise affecting employees. Both parties agree that these proceedings will be kept confidential and as informal as possible.

Definitions

A grievance shall be defined as a claim by an employee(s) that an official policy of the Board of Education appearing in the Board Policy Manual has been misinterpreted or misapplied, or by an employee association that their rights under a contract have been violated. In all grievance matters the remedy sought by resorting to this procedure shall be confined to those areas in which the Board has clear authority to act or negotiate and items arising outside the terms of the employee agreement shall not be subject to the Grievance Procedure.

Time Limits

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each step should be considered as the maximum number of school days allowed, and every effort should be made to expedite the process. The time limits specified, however, may be extended only by agreement of the parties, in writing, and only by those having the authority to extend such time limits.

Intent

Initiation of a grievance by an employee(s) shall in no way reflect on his/her standing or loyalty to the department or to the school or other organizations to which he/she is responsible. Neither shall it be considered a reflection on his/her supervisor or on the general administration of the department.

It shall be the firm policy of the Board to assure to each such employee(s) an unobstructed

use of the grievance procedure without fear of reprisal or without prejudice to his/her employment status.

LEVEL I - PRINCIPAL/SUPERVISOR

Nothing contained herein shall be construed to prevent any employee(s) from presenting a grievance to his/her principal/supervisor with the objective of resolving the matter informally.

If the matter is not resolved satisfactorily in this manner, the grievance may be submitted to his/her principal/supervisor, in writing, on forms furnished by the District, within fifteen (15) days of the occurrence on which the grievance is based or within fifteen (15) days of the date the employee could reasonably be expected to have knowledge of the grievance. If not presented within this period of time, the case shall not be presented at any future date unless agreed to in writing in accordance with paragraph "Time Limits" of this section.

The aggrieved employee(s), if it is desired, may discuss the matter again with his/her principal/supervisor and if he/she desires, may be accompanied by a member of his/her choice from his/her association. The principal/supervisor shall submit a written decision to the aggrieved party within five (5) days after receipt of the grievance in writing. The principal/supervisor shall file a copy of both the grievance and decision with the superintendent for his/her information.

The decision of the principal/supervisor shall finally resolve the grievance unless the aggrieved employee appeals the decision of the principal/supervisor to the superintendent, in writing, within five (5) days.

LEVEL II - SUPERINTENDENT

The grievance will be discussed by the aggrieved employee(s) and the superintendent, or his/her designee. At such discussion the aggrieved employee(s) may be accompanied by a representative of their association if he/she so desires. If the aggrieved party is to be accompanied by legal counsel, the superintendent or his/her designee shall be notified at least three (3) days in advance to permit him/her to be advised by legal counsel, if he/she so chooses. The superintendent shall give a written decision within ten (10) days following receipt of the grievance. The decision of the superintendent shall be final.

ADOPTED: 4/26/76

AMENDED: 7/18/77; 4/18/11