

## CHAPTER 6.00 – HUMAN RESOURCES

### EMPLOYEE GRIEVANCE PROCEDURE

6.41

Whenever an 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, the employee can resort to the more formal procedures as provided herein.

#### I. Definitions

A. *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.

B. *Complainant* shall mean any person, directly affected by the alleged misinterpretation or violation, filing a complaint.

C. *Employer* shall mean the School Board or its representatives.

D. *Day* shall mean a calendar day.

II. 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.

III. 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.

#### IV. Complaint Procedure

A. Informal Discussion – If a person believes there is a basis for complaint, he/she shall discuss the complaint with the immediate supervisor where the alleged complaint occurred. In cases of discrimination or harassment involving the supervisor, the complainant shall report to the Equity Coordinator or other person designated by the Superintendent within ten (10) days of the occurrence of the alleged violation, except in cases involving harassment or discrimination in which thirty (30) days will be allowed.

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- 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 the immediate supervisor or alternate. The supervisor or alternate shall communicate his/her answer in writing to the complainant. 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.
- 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.
- 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 School Board, provided request for placement on Board agenda is filed within ten (10) days. The Superintendent, upon receipt of a written appeal to the board, shall schedule a hearing before the Board for the complaining to present the appeal.
- V. The board shall notify the complainant of its decision with thirty (30) days after the hearing by registered mail. This decision shall be final and binding on all parties. Unless legal recourse is sought, the grievance shall be deemed settled and the complainant shall have no further rights with respect to such grievance.
- VI. Confidentiality will be provided to the extent possible to any employee, student or affected party who alleges discrimination or harassment.

### STATUTORY AUTHORITY:

**CODE OF ALABAMA**  
**16-1-30**

### LAW(S) IMPLEMENTED:

**CODE OF ALABAMA**  
**16-1-30, 16-12-3(c)**

### ALABAMA ADMINISTRATIVE PROCEDURE ACT: \_\_\_\_\_

### HISTORY:

**ADOPTED: October 18, 2006**  
**REVISION DATE(S): \_\_\_\_\_**  
**FORMERLY: GAE**