

GRIEVANCE PROCEDURE FOR PERSONNEL

6.500*

- I. Whenever an employee or applicant feels that he or 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, employees not covered by a collective bargaining complaint procedure, can resort to the more formal procedures as provided herein. If the collective bargaining agreement is silent on an issue this procedure may be used by the employee.
- II. General Provisions for Complaint Procedures
 - A. Concerns and complaints shall be resolved in an expeditious, orderly, and equitable manner with strict adherence to School Board rules.
 - B. A copy of complaint procedures may be obtained from the Director of Human Resources.
 - C. A conscientious effort shall be made to fully consider and understand the nature and basis of each complaint and to resolve or refer it without delay to the appropriate source for resolution.
 - D. An employee's initiation of a complaint shall not be used as a basis for actions that adversely affects his/her relations with his/her immediate administrative supervisor.
 - E. An employee who chooses to follow appeal procedures shall have the right to representation at each stop of the procedure.
- III. Registering a Complaint — Any non-bargaining unit School Board employee or a bargaining unit member with a complaint that does not fall within the terms of the negotiated contract who has a complaint regarding employment shall speak directly to or communicate in writing to his/her immediate administrative supervisor, if appropriate in light of the subject matter of the complaint, to explain the nature of the complaint. If the complaint is related to discrimination or harassment by the immediate supervisor the employee may begin the process at Step 1 in (4) herein but no later than sixty (60) days following the alleged occurrence.
 - A. Any such complaint shall be brought to the attention of the employee's immediate administrative supervisor within twenty (20) working days of the occurrence of the event(s) associated with the complaint. Provided, however, the twenty (20) day period for an employee who is absent at the time the event(s) occurs shall commence when he/she returns to work.

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- B. The immediate administrative supervisor shall render a decision within five (5) working days from the date that the meeting is held with the employee to discuss the complaint.
- C. The employee may follow the appeal procedures described in subsection (4) herein if satisfactory results are not obtained after meeting with his/her immediate administrative supervisor.

IV. Procedure for Appealing Decisions

- A. Step 1 — The employee shall explain the complaint in writing and submit it to the Superintendent of schools within ten (10) working days after the expiration of the said five (5) day period as described in subsection (3)(B). The written complaint shall set forth specifically the event(s) upon which the complaint is originated and the grounds upon which the appeal is based. The complaint shall be handled by the Superintendent who is responsible for meeting with the employee to discuss the complaint and for making a determination within ten (10) working days after receipt of the appeal. Two (2) copies of the decision shall be delivered to the employee..
- B. Step 2 — The employee may submit a written repeal to the Superintendent within ten (10) working days after receipt of the Superintendent's written decision as described in subsection (4)(A). The Superintendent shall meet with the employee and render a written decision on the appeal within ten (10) working days after receipt of the employee's appeal, unless the matter is referred to a person for an advisory determination. In the event of an advisory determination, the Superintendent shall render a decision within ten (10) days of receipt of the advisory determination.
- C. Step 3 — An employee, within ten (10) working days after receipt of the Superintendent's written decision, may submit a written appeal to the School Board with a copy directed to the Superintendent. The School Board shall hold a hearing on the matter no later than thirty (30) days from the date of the filing such appeal. The School Board's decision in the matter shall be rendered at the next regular or special School Board meeting after the hearing, and shall be final and binding in all respects.

V. Advisory Determination

- A. The employee's appeal to the Superintendent may include a written request for referring the matter to an advisory determination when the

initial complaint does not relate to a matter of change in School Board rule.

- B. The person who is chosen to make such a determination shall be mutually agreed upon by the employee and the Superintendent.
 - C. The person making the advisory determination shall hear a presentation by both sides in the matter and shall subsequently make an advisory determination respecting the merits of the complaint. The advisory determination shall be rendered within twenty (20) days after the conclusion of the hearing.
 - D. Fees and expenses of the person making the advisory determination shall be borne by the employee who requests an advisory determination.
- VI. Confidentiality and protection from retaliation will be provided to the extent possible to any employee, student, applicant or affected party who alleges discrimination or harassment.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 447.401, 1001.41, 1001.49, 1012.22, 1012.27, F.S.

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: 7.11(a), 7.11(b)