

## **EMPLOYEE COMPLAINTS AND GRIEVANCES**

It is the Board's desire that procedures for settling differences provide for prompt and equitable resolution at the lowest possible administrative level and that each employee be ensured an opportunity for an orderly presentation and review of complaints without fear of reprisal. The Board encourages the resolution of employee concerns prior to entering the concern resolution process, which is outlined below.

A "concern" or "complaint" is defined as an alleged material violation of Board policies or administrative procedures that apply to all employees.

The process designated for the resolution of "grievances" is established in the collective bargaining agreement for employees who are members of a recognized bargaining unit. In such cases, the provisions of the collective bargaining agreement shall supersede this policy. This policy applies only to employees who are not members of a collective bargaining unit and provides the procedure by which such employees may seek resolution of workplace concerns or complaints.

Nothing in this policy shall be construed to imply in any manner the establishment of personal rights not explicitly established by statute or Board policy. Neither shall anything in this policy be construed to establish any condition prerequisite relative to non-renewal of contracts, transfer, assignment, dismissal or any other employment decision relating to school personnel.

All employment decisions remain within the sole and continuing discretion of the administration and/or School Board, as appropriate, subject only to the conditions and limitations prescribed by law.

In order to promote efficiency in the administration of schools and to avoid misunderstandings and misinterpretations, all personnel must observe a chain of command when bringing staff concerns or complaints to the administration's attention.

The concern resolution is as follows:

1. All personnel employed by the District shall be responsible to the Board through the Superintendent. No dispute or other personnel issue shall be brought to the Board without first having gone to the Superintendent for determination. No personnel issues will be brought to the Board unless the affected employee has a right to a hearing before the Board, as established by law or collective bargaining agreement.
2. No dispute or other personnel issues shall be brought to the Superintendent without first having been presented to the building Principal for determination. In the event that a conflict arises between an employee and their building principal, the employee may elect to seek assistance or guidance from another District administrator prior to bringing the concern to the Superintendent.

3. Building personnel working under the immediate direction and/or supervision of someone other than the building Principal will inform their immediate superior of any dispute or personnel issue they intend to bring to the principal.

If a concern or conflict cannot be resolved at the initial level of discussion, the matter shall be escalated to the next level of the concern resolution process.

It is the Board's policy not to involve itself in personnel complaints or disputes until the matter has properly followed these guidelines.

Unless the affected employee has a right to a hearing before the Board, administrative decisions shall be final. An employee's failure to adhere to such decision or directive may be considered insubordination and may lead to adverse employment action.

Resolution of grievances related to contractual issues or other issues defined in the collective bargaining agreement is detailed in the agreements of each association. Employees not covered by a collective bargaining agreement shall use the procedure outlined in policy GBK-R.

Legal References:

*RSA 189:13, Dismissal of Teacher*

*RSA 189:14-a, Failure to be Re-Nominated or Reelected*

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