

Cache County School District Policy Series 5000: Personnel

Policy No. 5370 P1

Employment Grievance Procedure

Definitions/Explanations

- A. A “grievance” is a written statement of an alleged violation or misinterpretation of the terms, meaning, or application of an employee’s contract, negotiated agreement, board policy or legal statute. It is expressly understood that a claim based upon an event or condition which does not fall within this definition shall not constitute a grievance.
- B. A “grievant” shall mean an employee or group of employees or their representative organization (association) filing a grievance.
- C. “Days” shall mean consecutive days excluding weekends and legal holidays. D. “Parties in Interest” shall mean the person or persons making the claim and any person who might be required to act or against whom action might be taken in order to resolve the claim.
- E. The number of days specified in this procedure may be extended by mutual agreement between the Board of Education or its representative and the grievant. F. Nothing in this procedure shall be construed to limit the right of the Board of Education or the grievant to appeal to an appropriate court of law.
- G. Employees who are At-Will or Temporary may meet and confer with their immediate supervisor regarding grievance claims but cannot use Policy 7500 or Procedure 7500 P1.
- H. Any employee or community member may file a complaint regarding a staff member or district program through Policy 3250 “Complaints Regarding Staff or Programs”. If employees experience abusive conduct from a student and/or a parent/guardian, the employee should follow the procedure outlined in 9350 P1, “Bullying, Cyberbullying, Hazing, Retaliation, and Abusive Conduct.”

Procedure

Informal Procedure

Employee concerns that involve an alleged violation or misinterpretation of the terms, meaning, or application of an employee’s contract, negotiated agreement, board policy or legal statute shall first be heard using an Informal Procedure. The Informal Procedure requires a verbal discussion with the employee and the employee’s school principal or immediate district supervisor. The purpose of the Informal Procedure is to understand the employee’s concern and to allow the school principal or immediate district administrator an opportunity to resolve the concern prior to proceeding to the Formal Procedures.

Formal Procedures

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A. Step 1

1. Within thirty (30) days following knowledge of the act or condition which is the basis of the complaint, the grievant may file in writing, a grievance with the Human Resources Department and the appropriate district administrator.
2. A Human Resources Administrator shall have five (5) days to give a written decision to the grievant after receipt of the grievance.

B. Step 2

1. If the grievant is not satisfied with said decision, he/she may appeal in writing within twenty (20) days, to the Superintendent. The Superintendent or his/her designee has ten (10) days to give a written decision to the grievant after receipt of the appeal.

C. Step 3

1. If the grievant is not satisfied with the decision in step #2, an unbiased hearing examiner or the Board of Education will be utilized to review the grievance. The decision to utilize an unbiased hearing examiner will be at the sole discretion of the Board of Education. If a hearing examiner is appointed, the decision of the hearing officer will be binding upon both parties, the District and the grievant.
2. The hearing will be scheduled no later than forty (40) days following receipt of the appeal. Substitute hearing dates may be granted only upon approval of both parties involved in the grievance.
3. If a hearing examiner is utilized, both the grievant and the district must mutually agree on the impartial hearing examiner.
4. The hearing examiner or the Board of Education will submit a written decision to the grievant, and/or his/her representative and the Superintendent, and/or his/her representative no later than thirty (30) days following the hearing.
5. The expense of the hearing examiner shall be borne equally by the Board of Education and the grievant.

Legal References:

Synopsis:

Approved by District Administration: 4/24/24