

# **Grievances: A Guide for CFT Building Reps.**

---

## **What is a grievance?**

By contract definition, a grievance is a “complaint in writing that there has been an alleged violation, misinterpretation, or misapplication of any provision(s) of this contract,” Thus; legitimate complaints that are not formal grievances cannot be processed through the grievance procedure. They must be processed and resolved through normal administrative channels.

## **Who may file a grievance?**

The contract states that an individual teacher, office employee, group of teachers, or group of office employees, or the Federation has the right to file a grievance.

## **Steps in the grievance procedure.**

Pre-filing conference. Prior to filing a formal grievance, it is highly recommended that an informal conference with the principal or administrator be scheduled. The complaint, the issue, the facts and the proposed remedy should be presented at this meeting.

### **Level One**

**CFT:** A formal grievance must be filed with the principal (or the appropriate administrator) within fifteen (15) contract working days. The conference – involving the grievant, the Federation representative, and the principal or administrator – must occur within five (5) days after the grievance is filed. The principal or administrator will then render a written decision within five (5) days.

**ACPSOP:** A grievance shall be submitted in writing to the principal or the appropriate administrator within 10 days after said event, upon which it is based, or within 10 days after said event could reasonably be assumed to have been known by the grievant. A grievance conference shall occur within 5 days after the grievance is filed. The grievant shall be accompanied by an Association representative.

The principal or appropriate administrator shall render a written decision within five (5) days of the conference and communicate it to the grievant and the Federation/Association.

### **Level Two**

**CFT:** A grievance not resolved at level one can be appealed by the Federation to the next level – the superintendent (represented by the Director of Employee Relations). A meeting should be held within five (5) days and a written decision rendered within five (5) days of the meeting.

However, at the request of either the Board or the Federation, grievance mediation shall occur prior to the Level II grievance conference. The Board and Federation shall agree, by July 1, 1991, on an agency, individual, or panel to provide such mediation services. The parties shall develop specific procedures for grievance mediation, with the assistance of the mediator.

If grievance mediation is requested, time limits are suspended until the mediation occurs. A formal Level II conference shall be conducted within 5 days of the final mediation session, unless the grievance is resolved through mediation. Thereafter, the normal time limits shall be observed.

**ACPSOP:** In the event a grievance has not been satisfactorily resolved at Step 1, the Association shall file, within 5 days of the principal's or the appropriate administrator's written decision at Step 1, a copy of the grievance with the Director of Employee Relations. Within 5 days after such written grievance is filed, the grievant, the Association, and the Director of Employee Relations or his/her designee shall meet to resolve the grievance. The Director of Employee Relations or his/her designee shall file his/her decision within 5 days of the Step 2 conference and communicate it to the grievant and the Association.

### **Level Three**

**CFT:** If the grievance has not been satisfactorily resolved at Level Two, the Federation may demand arbitration within 90 days of receiving the Level Two decision. The arbitrator's decision shall be final and binding.

**ACPSOP:** If the grievance has not been satisfactorily resolved at Step 2, and if the grievance is not appealable to the Civil Service Commission or to the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission within ten (10) days of the Step 2 decision, the Association may demand a hearing before an arbitrator.