

NEA-Jurupa Member Concern/Grievance Intake Form

HANDLING GRIEVANCES AT YOUR SITE

KNOW THE DEFINITIONS:

What is a grievance? A grievance is a reasonable allegation that Collective Bargaining Agreement (CBA) section(s) have been violated, misinterpreted, or misapplied. (Contract Violation)

What is a day? A “day” refers to any day that the grievant is scheduled to give service to the District or when the Education Center is open for business if the Association is the grievant.

Who can file a grievance? Any member or group of members of the collective bargaining unit as well as the Association itself. (Also see Article IV Association Rights, Section 13 Association Grievance)

Timeline

Grievance Level 1: due within 30 grievant’s work days or, if the Association is the grievant, 30 days that the Education Center is open for business

- Within 5 days a conference must be scheduled if either party requests.
- Within 6 days the supervisor shall communicate decision to grievant and Association in a clear concise statement.

Grievance Level 2: submit within 6 days of decision with copy of Level 1 Grievance and supervisor’s decision as well as clear, concise statement of reason(s) of appeal

- Within 5 days, a conference must be scheduled at request of either party.
- Within 6 days Superintendent or designee communicates decision in clear and concise statement.

Grievance Level 3: within 10 days by mutual agreement may elect to submit to mediation for possible settlement agreement (statements made in mediation are confidential, non-precedential, and not admissible in any future court, administrative proceeding, or additional grievance step

Grievance Level 4: (Association only) within 10 days submit notice of intent to submit grievance to arbitration with copy of original grievance decision, reason for appeal, and remedy sought

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GRIEVANCE CHECKLIST FOR ASSOCIATION REPS

PREPARATION: Use this checklist to streamline your information and facts and to help understand the process. Contact the Chapter President or Grievance Chair to assist in filing any grievances.

1. Get all the facts from the employee who has the complaint.

2. Get details- dates, examples, witnesses, correspondence, etc.

3. Ask probing questions so that you can get the full story on the issue.

4. Be sure to take notes so you have a record and can check back to verify facts.

5. Get additional facts to support the complaint.

6. Check school board policies and regulations. (Not necessarily a grievance)

7. Determine whether there is a legitimate grievance.

IS THE COMPLAINT GRIEVABLE?

8. Determine which Article(s) of the contract has/have been violated.

9. Gather supportive data (reverse emails, notes of conversations, witness statements, etc.)

10. Discuss the problem informally with the principal or immediate supervisor to reach a settlement.

LEVEL I REPRESENTATION

11. Determine what arguments management will make in this case.

12. Gather supportive data for your arguments.

13. Research back-up information:

- a. Association Files
- b. Past Practice
- c. Past Grievances
- d. Association Officers and CTA Staff

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Grievant's Name:

Site:

Personal Email:

Position:

Cell Number:

Reporter Name:

Site:

Personal Email:

Cell Number:

1. What is the summarized concern or (potentially contract language violating) grievance?

2. Who is/was involved?

a. Administrator(s):

b. Witness(es):

c. Other(s) (Identify):

3. Where did the incident occur (if appropriate)?

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4. When did the incident occur?

5. How has the NEA-Jurupa member been negatively affected?

6. What remedy is the affected member seeking?

7. Informal Level: Yes No Date:

Administrator's Name:

a. Outcome:

Attach collected documentation to support informal process (reverse emails, notes of conversations, etc.)

8. Is the member willing to file a grievance?

If yes:

a. Are we within grievance timeline (30 work days for members or 30 days of Ed. Center being open days from time grievant learned/should have learned of the event/condition giving rise to complaint to present district grievance form to supervise?)

b. What is the last day on which we can file the grievance?

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9. Which provision(s) of the contract are involved in the grievance (specific Article, Section, Paragraph, page, and line numbers)?

a.

b.

c.

d.

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Grievance #

Date:

Name of Employee/Grievant:

Work Site:

Work Phone:

Immediate Supervisor:

Level 1

State specific contract Article and section(s) violated, manipulated, or misinterpreted:

Statement of Grievance- specifically how the contract was violated, manipulated, or misinterpreted:

Remedy Requested (must be specific):

Signature:

Date: