LAGUNA BEACH UNIFIED SCHOOL DISTRICT

V.

Board Policies Covering All Unrepresented Classified Employees

Board Policy No. 4408 GRIEVANCE PROCEDURE

A. Definitions.

1. A "grievance" is a formal written allegation by an employee who has been adversely affected by a violation of the specific Policies concerning his/her working conditions. Actions to challenge or change the Policies of the District as set forth in other Policies must be undertaken under separate legal processes. Other matters for which a specific method of review is provided by law or by rules of the employer are not within the scope of this procedure.

2. A "grievant" is an employee.

3. A "day" is a day in which the administrative office of the District is open.

B. Informal Level.

Before filing a formal written grievance, the grievant shall attempt to resolve it by an informal conference with the Superintendent.

C. Formal Levels.

Step 1

Within twenty (20) days after the occurrence of the act or omission, or within twenty (20) days after the grievant knew or reasonably should have known of the act or omission giving rise to the grievance, the grievant must present such grievance in writing.

This statement shall be a clear, concise statement of the grievance, the circumstances involved, the decision rendered at the informal conference, under B above, and the specific remedy sought.

The Superintendent shall communicate a decision to the employee in writing within fifteen (15) days after receiving the grievance. If the Superintendent does not respond within the time limits, the grievant may appeal to the next step.

Within the above time limits, either party may request a personal conference with the other party.

Step 2

In the event that the grievant is not satisfied with the decision at Step 1, he/she may request to the Board that the grievance be submitted to the Board. Such request must be in writing, filed within ten (10) days with the Board President

The Board may or may not schedule a conference. The decision of the Board shall be final.

D. Miscellaneous

No grievant shall use the grievance procedure to appeal any decision of the District or its representatives if such decision is pursuant to any order of or written agreement with any state or federal court, regulatory commission or agency.

No grievant shall use the grievance procedure in regard to any claim or complaint for which there is another remedial procedure or course established by statute or by regulation having the force of law.

If the grievant introduces new evidence at any Step in the grievance procedure, the District may require that the grievance be returned to the prior Step.

Grievances will be filed and processed on forms developed by the District.

E. Contents of Formal Grievance

A formal grievance shall be signed and dated by the employee submitting the grievance and shall contain a specific description of all of the facts which the employee claims violated a specific policy of the District concerning the employee's working conditions. The grievance must identify the specific policy claimed to have been violated, how and by whom it was violated, the date of the violation, and the names of any witnesses or individuals who can or may provide information regarding the claimed violation.

Date Policy Adopted By The Board: September 25, 2001