

CHAPTER 6.00 – HUMAN RESOURCES

GRIEVANCE PROCEDURE FOR PERSONNEL

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All employees, applicants, and non-employee volunteers have access to a grievance procedure when there is a basis for complaint. Every effort shall be made to arrive at a satisfactory resolution of the problem on an informal basis, but when an informal resolution is impossible, employees, applicants, or non-employee volunteers can resort to any of the four procedures as provided herein. Grievance procedures for instructional personnel are governed by negotiated contract with Santa Rosa Professional Educators; procedures for educational support personnel are governed by Civil Service Contract. Procedures for some educational support employees are governed by Master Contract with The Southern Council of Industrial Workers, United Brotherhood of Carpenters and Joiners of America, AFL-CIO. Any employee, applicant, or non-employee volunteer may select the procedure bargained by the agency of which he or she is a member or may select the School Board Policy procedure described below.

I. Definitions

- A. *Complaint* shall mean any dispute or disagreement involving the interpretation or application of any existing Board rule or practice. It does not include disputes involving the interpretation or application of a collective bargaining agreement or any provision thereof. Such disputes must be resolved through the grievance procedure in the bargaining agreement.
- B. *Complainant* shall mean any employee or group of employees directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. *Employer* shall mean the School Board or its representatives.

II. Time Limits - The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. Released Time - The complaint procedure will normally be carried out during nonwork time. If, however, the Board elects to carry out provisions during work time, the complainant, if an employee, shall lose no pay.

IV. Complaint Procedure

- A. Informal Discussion - If an employee believes there is a basis for complaint, he or she shall discuss the complaint with his or her immediate supervisor (except in cases of discrimination or harassment involving the

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supervisor, in which case the employee shall report to the Assistant Superintendent for Human Resources) within sixty (60) calendar days of the occurrence of the alleged violation except as required by other controlling rules. An applicant may discuss the complaint with the administrator at the appropriate school/work site or the Assistant Superintendent for Human Resources.

- B. Level One - If the complainant is not satisfied with the informal resolution, he or she may, within ten (10) working days, file a formal complaint on the proper form and deliver it to his or her immediate supervisor or the Assistant Superintendent for Human Resources. The supervisor shall communicate his or her answer in writing to the complainant within ten (10) working days after receipt of the complaint. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.
- C. Level Two - If the complainant is not satisfied with the resolution at level one he or she may, within ten (10) working days of the answer, file a copy of the complaint with the Superintendent. Within ten (10) working days of receipt of the complaint, the Superintendent shall indicate his or her disposition in writing to the complainant.
- D. Board Appeal - If the complainant is not satisfied with the resolution by the Superintendent, he or she shall have the right to appeal the Superintendent's decision to the School Board, provided request for placement on Board agenda is filed within ten (10) working days.
- E. Investigations will be conducted with discretion. The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. Claims found to be factually supported will be promptly acted upon. No employee or student shall be retaliated against in any manner for reporting conduct which is believed to be a violation of this rule or for participating in an investigation of a possible violation of this rule.
- V. The grievance procedures do not affect an applicant or employee's right to file a timely charge and seek relief pursuant to an appropriate federal or state statute, including the filing of a timely charge with the Florida Commission on Human Relations (FCHR), the Equal Employment Opportunity Commission (EEOC), or Office of Civil Rights (OCR).

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VI. The grievance procedures may be found in the [Human Resources Procedures Manual](#).

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

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