

### Grievance

Purpose: Lake Pend Oreille School District No. 84 is a large and diverse school system. We can and do expect misunderstandings and misinterpretations to arise from time to time. We believe that each employee needs to have a means to have his/her concerns and feelings heard within the organization. Our success depends upon each employee performing his/her duties and responsibilities in such a manner as to exceed minimum requirements for the position.

The administrative staff welcomes and encourages each employee to discuss his/her concerns and needs with the administration. Frequent discussion and interaction between employees, supervisors and administrative staff can do much to prevent major conflicts and disagreements from occurring. An employee pursuing a grievance shall be able to do without fear of reprisal.

Timelines: The timelines of this grievance process as established in this policy may be waived or modified by mutual agreement.

### Certified Staff

Prior to any grievance being filed, the following steps will be taken (most disagreements can and should be resolved at this level):

1. When an employee has a conflict or disagreement about the interpretation or application of Board Policy/Procedure, the Negotiated Agreement, or other matters of concern, the employee should request a meeting with his/her immediate supervisor. An exception is that complaints of sexual harassment should be discussed with the Title IX Coordinator or an Administrator. The employee may invite a third party to this meeting.
2. If the matter is not resolved at that meeting, the employee should contact the Superintendent and/or LPOEA President for assistance with the issue. If the matter is not resolved for the employee at this level the matter will be given to an informal review panel.
3. The informal panel shall be composed of a principal/supervisor from a different building, a representative of the LPOEA, and a teacher from either the same building or a like grade level. If the matter is not resolved at this level then an official grievance may be filed.

### Grievance

Level I A formal appeal will be made directly to the Superintendent. The Superintendent or the grievant may call for a meeting to be attended by all employees and supervisors involved. The Superintendent shall render a decision in writing within ten (10) days. A copy of this decision shall be forwarded to each employee and supervisor involved in the conflict.

Level II If the problem has not been resolved at level I, or if the employee is not satisfied with the decision rendered, the employee may request a review of the grievance by a hearing panel within ten (10) workdays of receipt of the written decision at Level I. Such request shall be submitted in writing to the Board of Trustees, who shall have fifteen (15) work days to convene a

panel consisting of five (5) persons: two (2) designated by the Lake Pend Oreille Education Association and two (2) designated by the Board of Trustees and one (1) agreed upon by the four (4) appointed members of the panel, for the purpose of reviewing the grievance. Within five (5) workdays, the panel shall establish a hearing date. At the hearing, all evidence either party wishes to present shall be heard. Said hearing date may be continued by the panel if the employee requests a continuance in writing prior to the said hearing date. The panel shall submit its recommendation in writing within ten (10) work days following completion of the review of the grievance to the employee, his/her advocate, the Superintendent and the Board of Trustees. The panel may extend the time of the grievance review decision up to fifteen (15) additional workdays if the parties are notified in writing. The Board shall render a final decision in writing within ten (10) workdays after receiving the panel's recommendation. The grievant may also submit written materials for final Board review.

#### Classified Staff

The grievance procedure for classified employees shall be the procedure set forth in Idaho Code 33-517.

Classified employees may file a written grievance alleging a violation of current, written District approved policy, procedure, or employee handbook, a condition or conditions that jeopardize the health or safety of the employee or another, or tasks assigned outside of the employee's essential job functions and for which the employee has no specialized training in strict accordance with the procedure set forth herein.

Neither the rate of pay nor the decision to terminate an employee during the initial one hundred eighty (180) days of employment shall be regarded as a proper grievable matter.

Each party involved in the grievance shall be entitled to a representative of their choosing at each step of the grievance process. None of these individuals will be qualified to sit on the advisory grievance panel.

#### Level 1: Informal

A classified employee with a complaint is encouraged to discuss the complaint with their immediate supervisor with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the Title IX Coordinator or an Administrator.

#### Level 2: Administration

If the complaint is not resolved at Level 1, the grievant may file a written grievance within six (6) working days of the event or incident. The written grievance must be signed and dated and provided to Human Resources stating:

1. The nature of the grievance, and
2. The remedy requested.

Human Resources will conduct an informal grievance meeting and provide the grievant with a written response within six (6) working days following the informal grievance meeting.

Level 3: Superintendent

If the classified employee is not satisfied with the response, or if there is no response within the specified time period, the employee may request a review of the grievance by the Superintendent within six (6) working days from receipt of the response. The Superintendent will respond within six (6) working days of an appeal.

Level 4: Hearing Panel

Within six (6) working days of the decision of the Superintendent, or if there is no response within this time period, a classified employee who is not satisfied with the decision, may provide a written request of a review by a hearing panel to the Board of Trustees. Within ten (10) working days of receiving the appeal, the Board shall convene a hearing panel consisting of three persons; one (1) to be selected by the Board, one (1) to be selected by the employee, and one (1) to be mutually agreed upon by the two (2) appointed members of the panel. The panel shall submit its decision in writing to the employee, the Superintendent, and the Board within ten (10) working days of completing its review.

Level 5: The Board

The panel's decision shall be final unless the Board overturns the panel's decision by resolution at the Board's next regularly scheduled public meeting. The decision of the Board will be final, unless appealed within forty-two (42) calendar days of the Board's resolution to overturn the panel's decision in the district court in Bonner County.

Previous Policy: 602.9

Cross Reference: 5240 Sexual Harassment

Legal Reference: I.C. §33-517 Noncertificated Personnel

Policy History

Adopted on: February 13, 2012

Revised on: June 27, 2017