Grievance Procedure

A grievance is a complaint arising from circumstances or conditions relating to one’s employment. A grievance procedure is a formal method for dealing with complaints expressed by an employee that allows school to continue without interruption during the process. Whether such complaint is formally recognized as a “grievance” depends on mechanics of the grievance procedure.

A grievance procedure should contain the following:

A. A section that defines terms such as (but not limited to) “grievance” and “days.” It is recommended that the definition of grievance exclude everything except application of terms of the individual contract or negotiated agreement.

B. A time limitation for filing a grievance so that a valid grievance will receive prompt attention while not permitting events to be brought up so long after the fact that accurate data is not available. The procedure should state that failure to meet grievance filing deadlines shall be a waiver of that grievance.

C. A statement emphasizing that the status quo prevails during the process and until a final solution is presented.

D. Levels of appeal, beginning with the immediate supervisor and terminating with a review and final decision by either the board or superintendent. NDSBA recommends that an appeal to the superintendent be the final level of appeal. Grievance procedures should not contain provisions allowing or requiring third-party arbitration or mediation.

It is recommended that a grievance procedure be limited to licensed staff and further limited to complaints about application of the terms of an individual contract or negotiated agreement.

NDSBA strongly recommends that the grievance procedure be a part of policy and not in the negotiated agreement. Please call NDSBA if you have questions about the way your district is handling the grievance process.