

Monterey County Office of Education



Personnel Services Division

GRIEVANCE FORM
(Certificated Employees)

Grievant Name: _____ Date Filed _____
School/Department _____ Job Title _____

Alleged violation of Article(s) _____, Section(s) _____, Paragraph _____, Page _____
(If known)

Describe the specific grounds for your grievance (MUST include dates, names, and places necessary for complete understanding). Include specific remedy sought.

Identify specific date(s) on which informal resolution discussion(s) occurred between employee and immediate supervisor (attach other pages as necessary): _____
(Attach other pages as necessary)

Name of Designated Representative, if any: _____

Grievant Signature(s) _____ Date: _____

Date received by Principal / Supervisor: _____

Dates(s) conference(s) held: _____

Proposed response to grievance (To be filled out by Principal/Supervisor):

Grievant checks one Resolved Unresolved

Grievant Signature(s) Date Supervisor Signature Date

(NOTE: If resolved, SUPERVISOR distributes copies as shown below. If unresolved and employee wishes to appeal, GRIEVANT OR REPRESENTATIVE must complete form, attach proof of service affidavits to each copy, and distribute as shown below).

I hereby appeal this grievance to Level III (Form – Cabinet Level). List reason(s) why supervisor’s proposed resolution was unacceptable.

Grievant Signature(s) _____ Date _____

INFORMAL DISCUSSION LEVEL

Grievance shall first be discussed by the grievant informally with his/her immediate supervisor before Level 1 procedure is used.

If the immediate supervisor is not available for discussion within 48 hours the grievant may file a Level I Grievance.

LEVEL I - IMMEDIATE SUPERVISOR/DIRECTOR, PRINCIPAL

A grievance shall be presented within twenty (20) days in writing to the immediate supervisor using the grievance form with a copy simultaneously provided to the Association. The immediate supervisor shall meet with the grievant and/or designated Association representative within five (5) days of receipt of the grievance. The immediate supervisor shall provide a written disposition of the grievance, including the reasons therefore, to all parties of interest within five (5) days of such meeting.

If the grievance and/or the Association is not satisfied with the disposition of the grievance, or if no disposition has occurred within five (5) days of such meeting the grievance may be appealed to Level Two, with a copy simultaneously provided to the Association.

LEVEL II - CABINET LEVEL

Within five (5) days of receiving the decision of the Principal or program director, the grievant may appeal from the decision at Level I to the division head/cabinet member. The appeal shall be in writing on the prescribed form and signed by the grievant. The division head/cabinet member receiving the appeal shall attempt to resolve the grievance. His/her efforts and decision shall be submitted in writing on the appropriate form within five (5) days of receipt of the appeal. If the efforts at adjustment at Level II, do not resolve the grievance, an appeal to Level III may be made.

LEVEL III – MEDIATED GRIEVANCE

- a. If the grievant and/or the Association is not satisfied with the disposition of the grievance, or if no disposition has occurred pursuant to the provisions of Level Two, the grievance shall be referred to grievance mediation.
- b. The Association shall request that a conciliator/mediator from the California State Mediation/Conciliation Service, or from any other mutually agreeable recognized dispute resolution center, be assigned to assist the parties in the resolution of the grievance.
- c. The mediator, within ten (10) days of the request shall meet with the grievant, the Association and the District for the purpose of resolving the grievance. If necessitated by the mediator's schedule, both sides may agree to schedule a meeting beyond the ten (10)-day period.
- d. If an agreement is reached, the agreement shall be reduced to writing and shall be signed by the grievant, the Association and the District. This agreement shall be nonprecedential and shall constitute a settlement of the grievance.

LEVEL IV

If agreement is not reached through mediation, the grievant may appeal his/her decision to the County Superintendent of Schools in writing and such appeal shall be signed by the grievant. The Superintendent may choose to:

- a. Review all written decisions and minutes of previous meetings and issue a written decision within ten (10) days to all parties concerned.
OR
- b. Conduct a hearing with all persons who participated through Level II and issue a written statement to all parties within ten (10) days.

The decision by the County Superintendent of Schools shall be final except for appeal procedures permitted by law and except where proper redress may be sought through the courts should the grievant so choose.