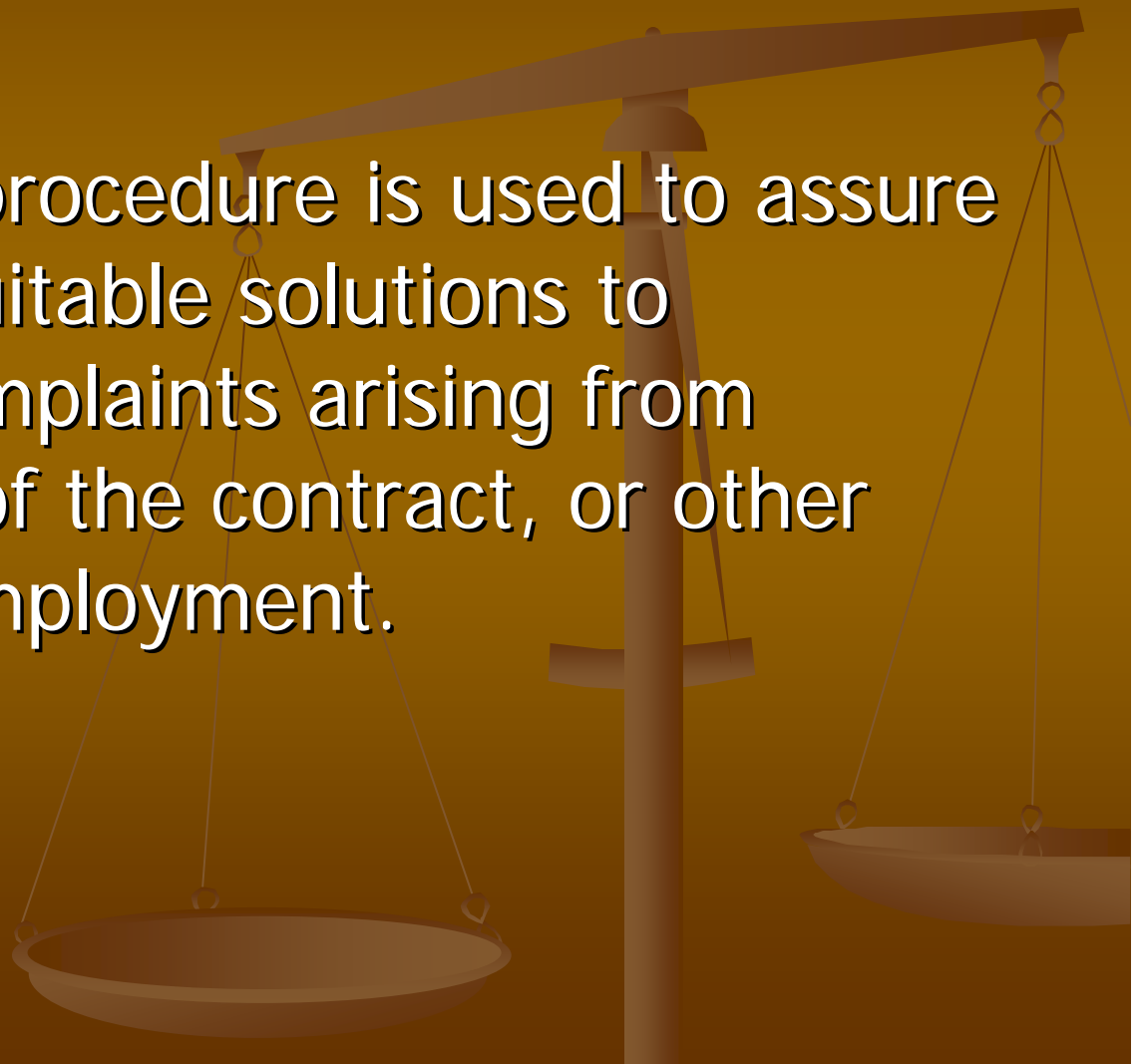


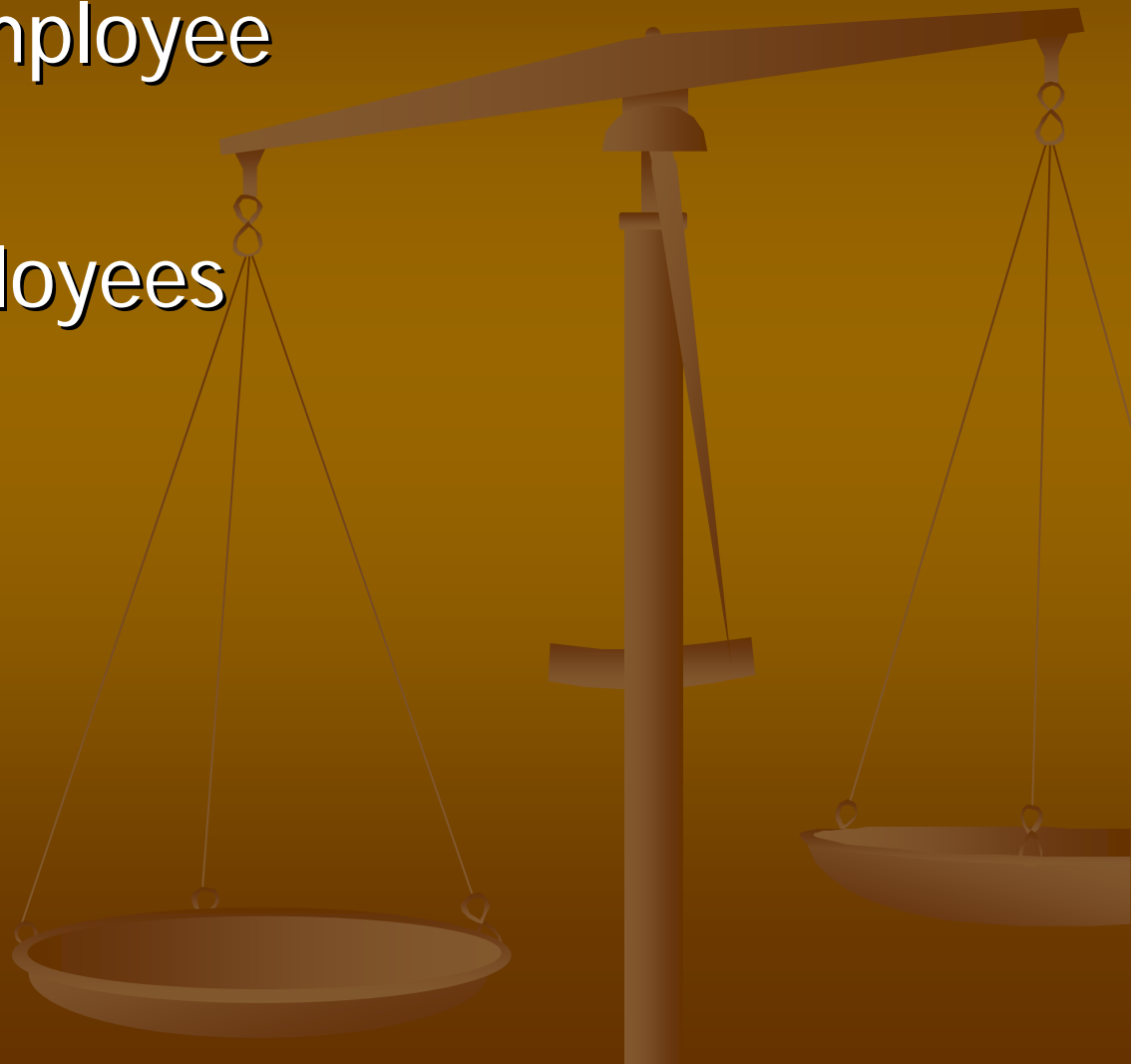
What is the grievance procedure used for?

- The grievance procedure is used to assure prompt and equitable solutions to problems or complaints arising from administration of the contract, or other conditions of employment.

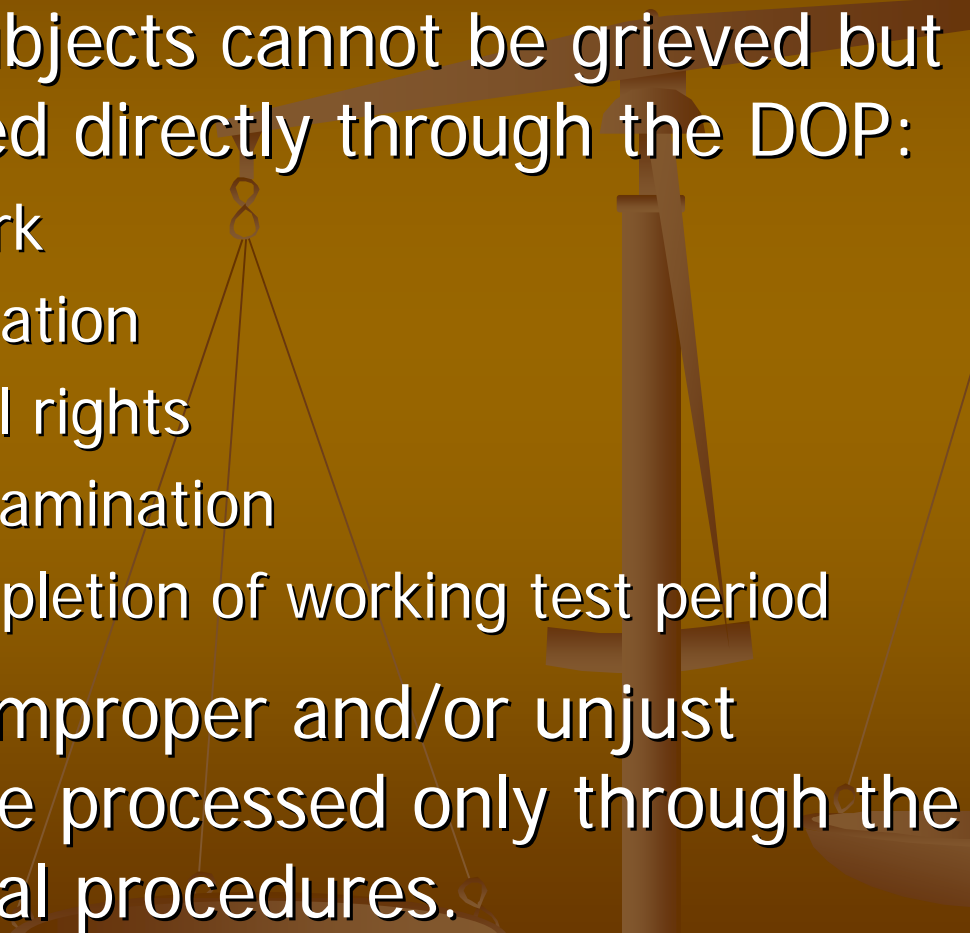


WHO CAN FILE A GRIVANCE?

- An individual employee
- A group of employees
- The Union

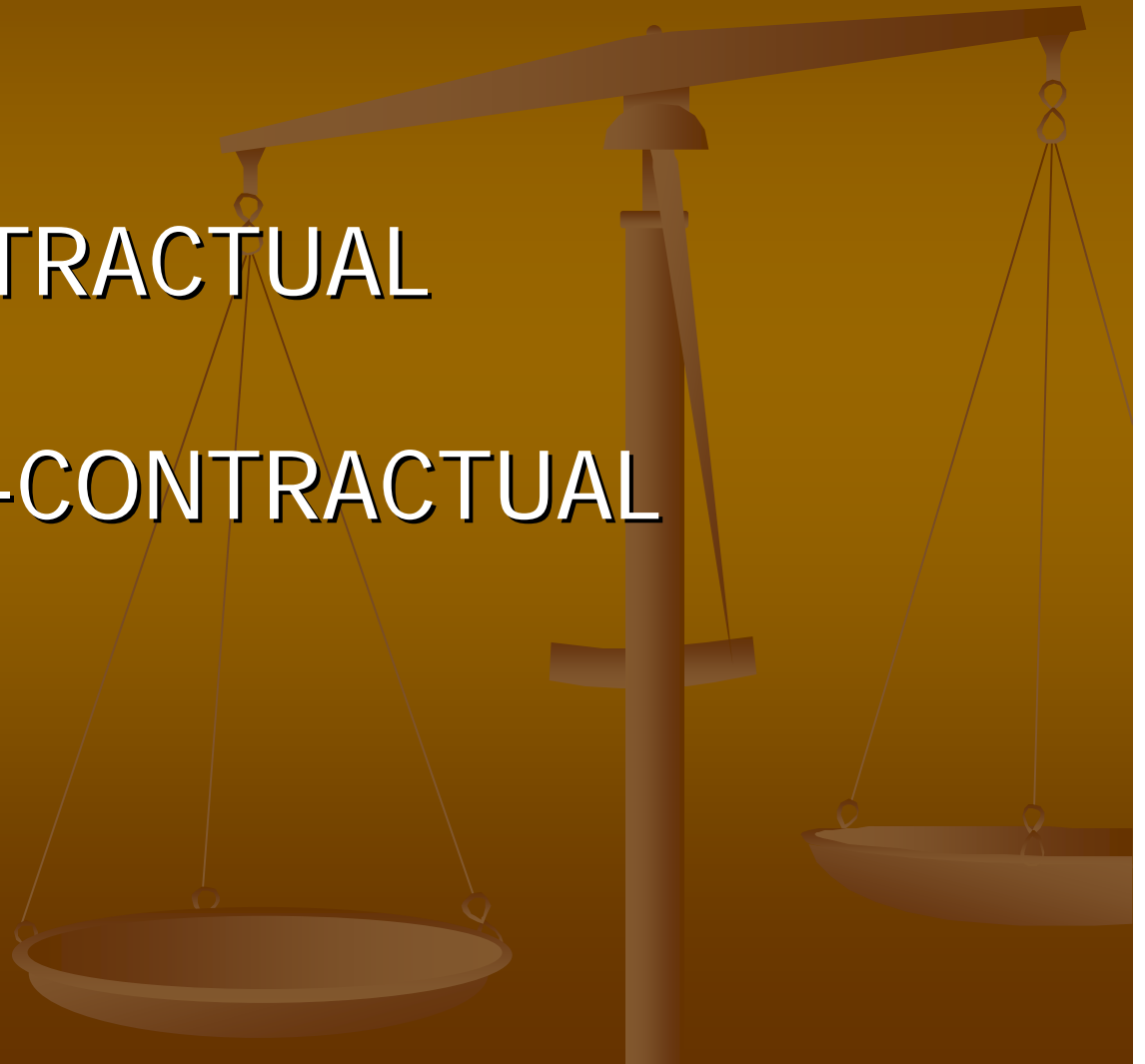


ARE THERE ANY MATTERS THAT CANNOT BE PROCESSED THROUGH THE GRIEVANCE PROCEDURE?

- The following subjects cannot be grieved but must be appealed directly through the DOP:
 - Out –of-title work
 - Position classification
 - Layoff and recall rights
 - Merit System examination
 - Removal at completion of working test period
 - Also, a claim of improper and/or unjust discipline must be processed only through the disciplinary appeal procedures.
- 

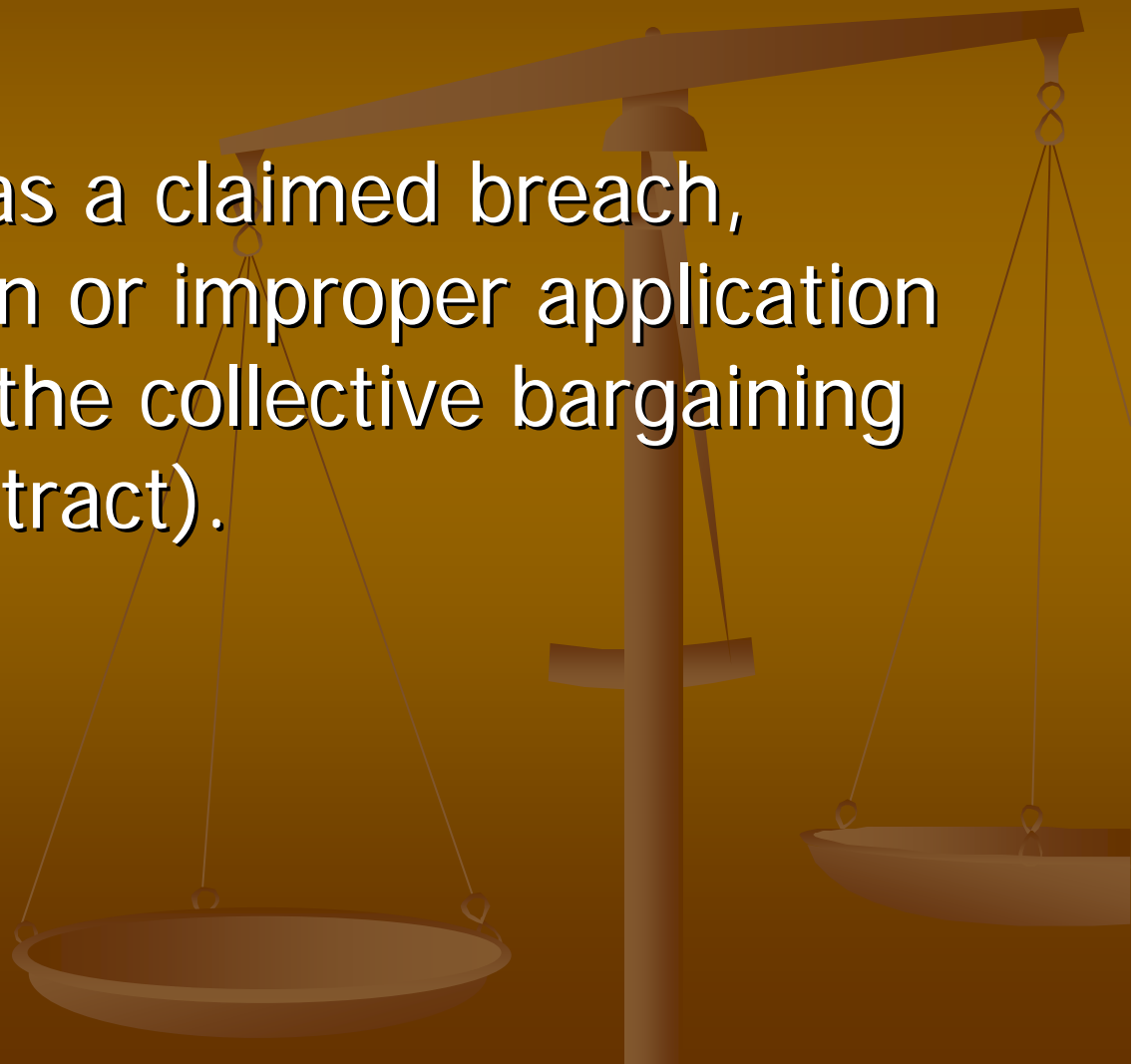
Grievances are broken into two specific categories:

- CONTRACTUAL
- NON-CONTRACTUAL



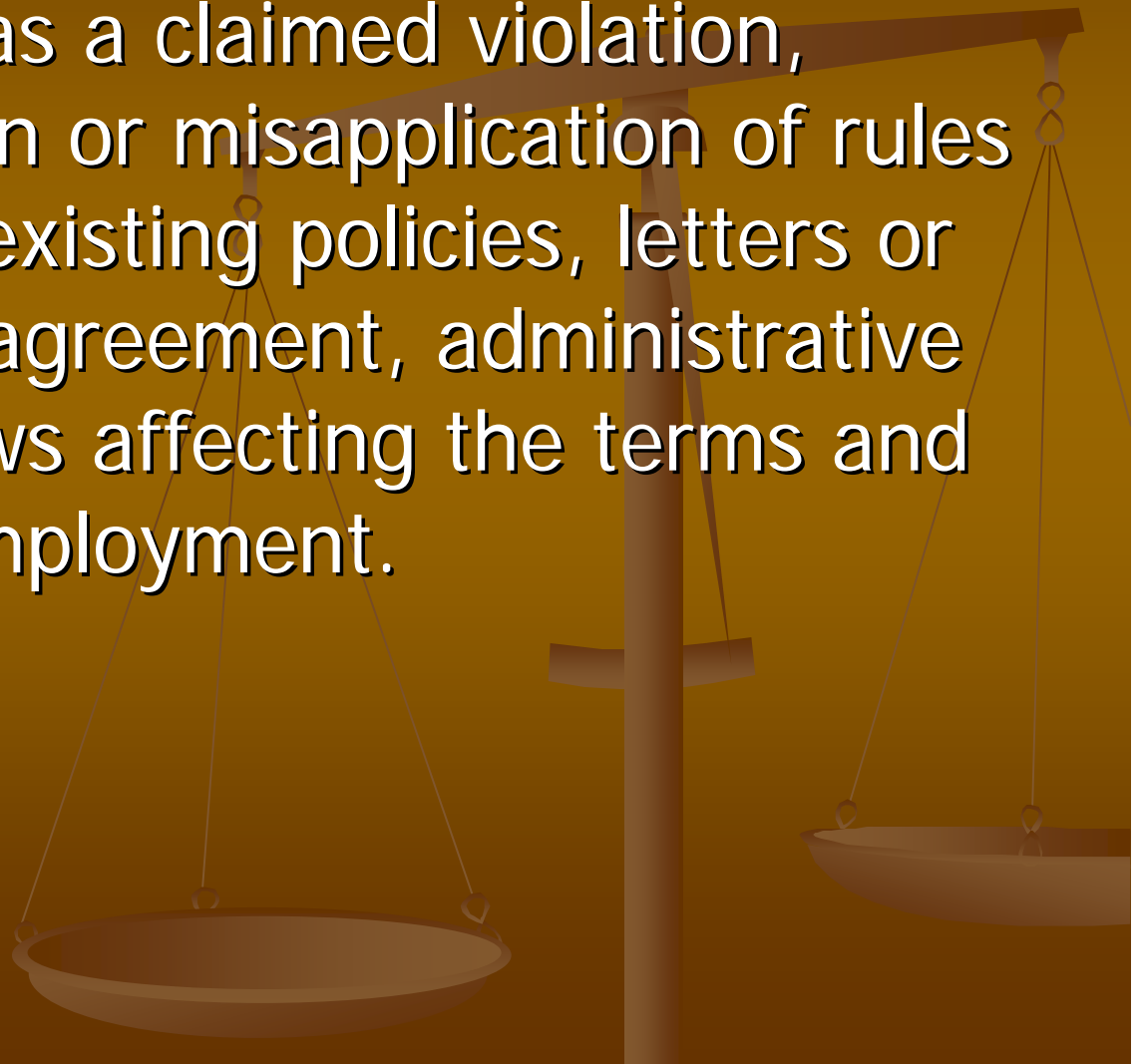
CONTRACTUAL

- This is defined as a claimed breach, misinterpretation or improper application of the terms of the collective bargaining agreement (contract).



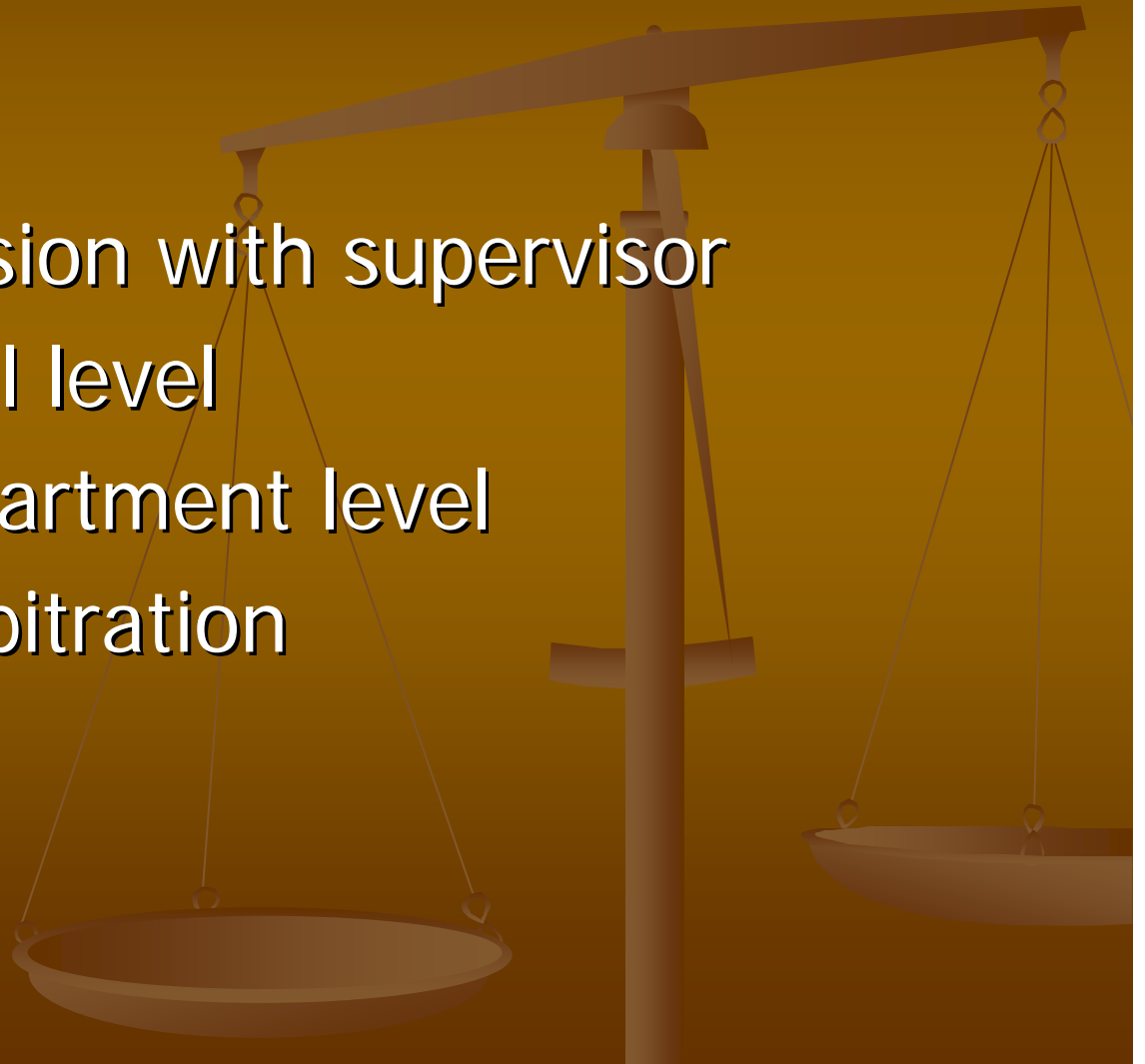
NON-CONTRACTUAL

- This is defined as a claimed violation, misinterpretation or misapplication of rules or regulations, existing policies, letters or memoranda of agreement, administrative decisions, or laws affecting the terms and conditions of employment.



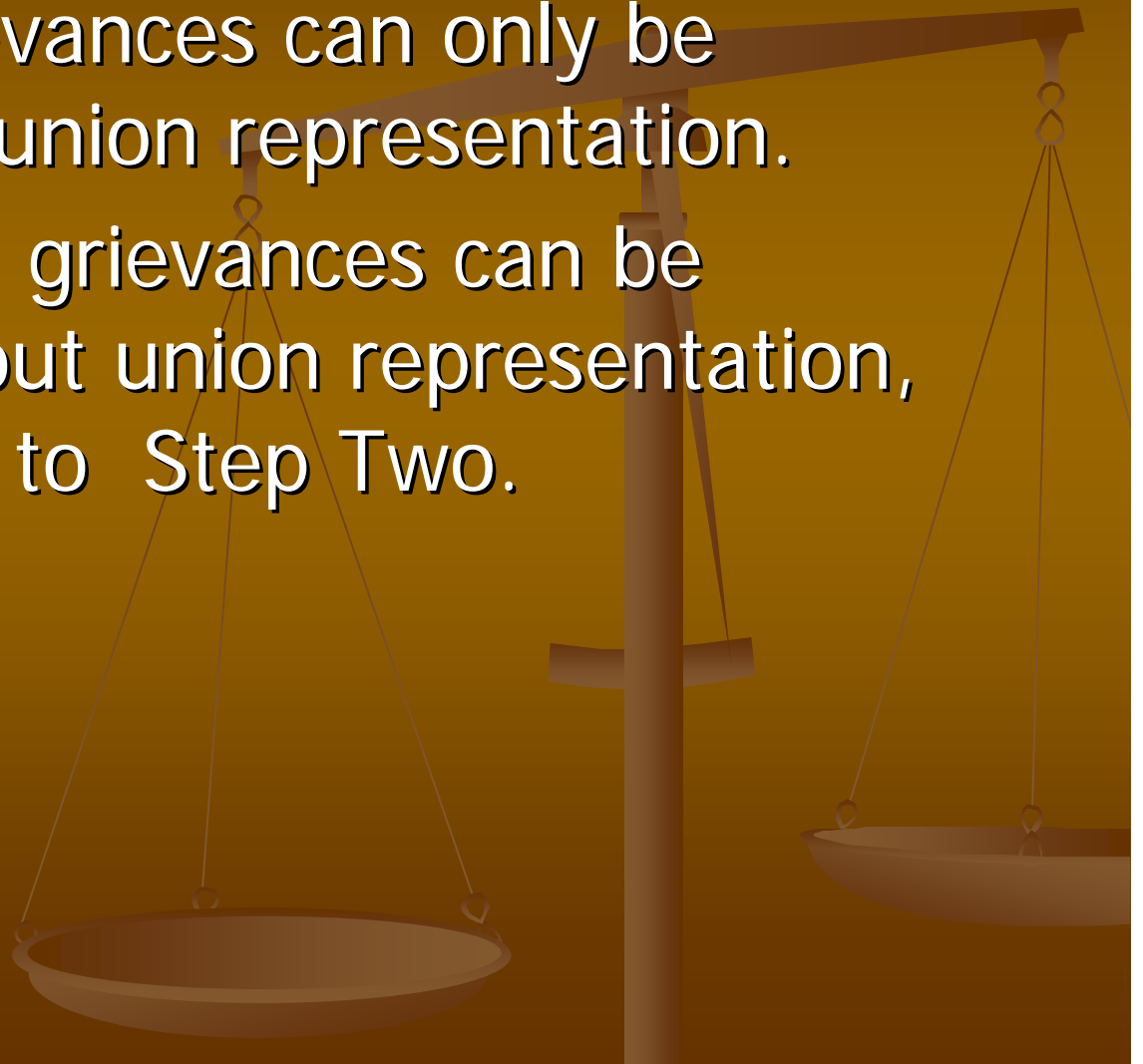
STEPS OF THE GRIEVANCE PROCEDURE

- Informal discussion with supervisor
- Step One – local level
- Step Two – department level
- Step Three - arbitration

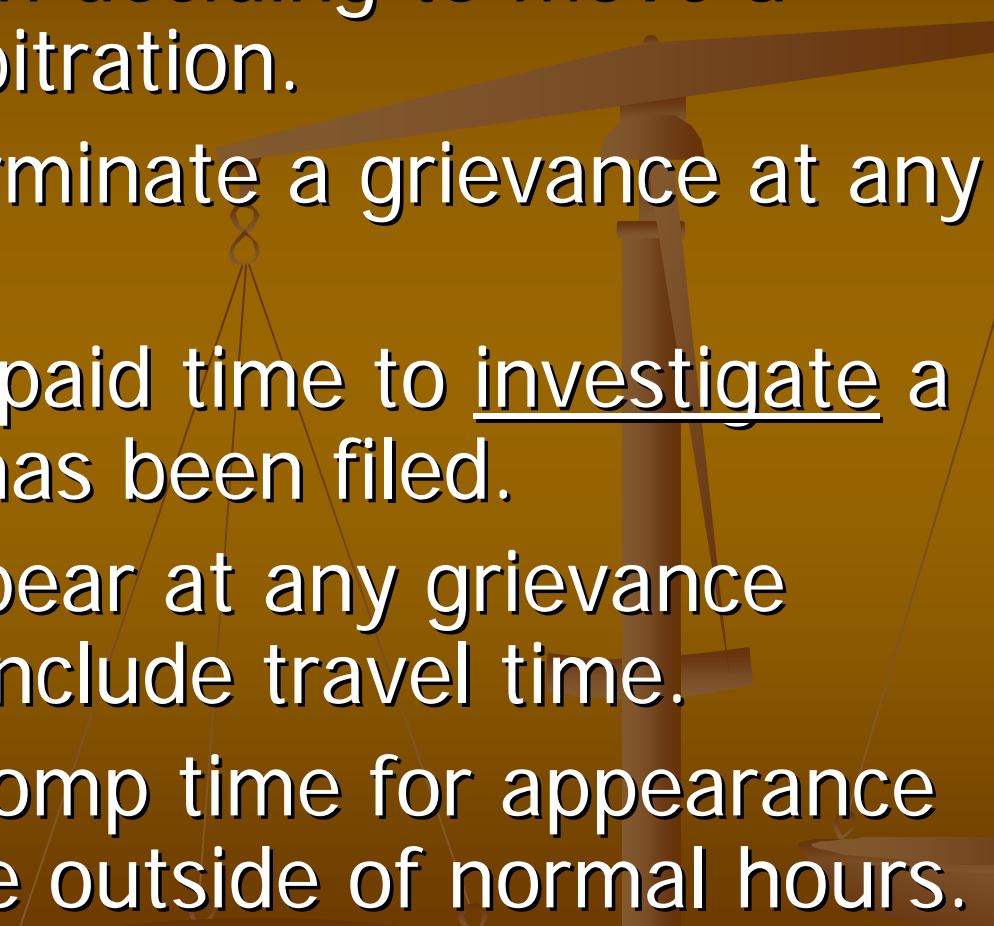


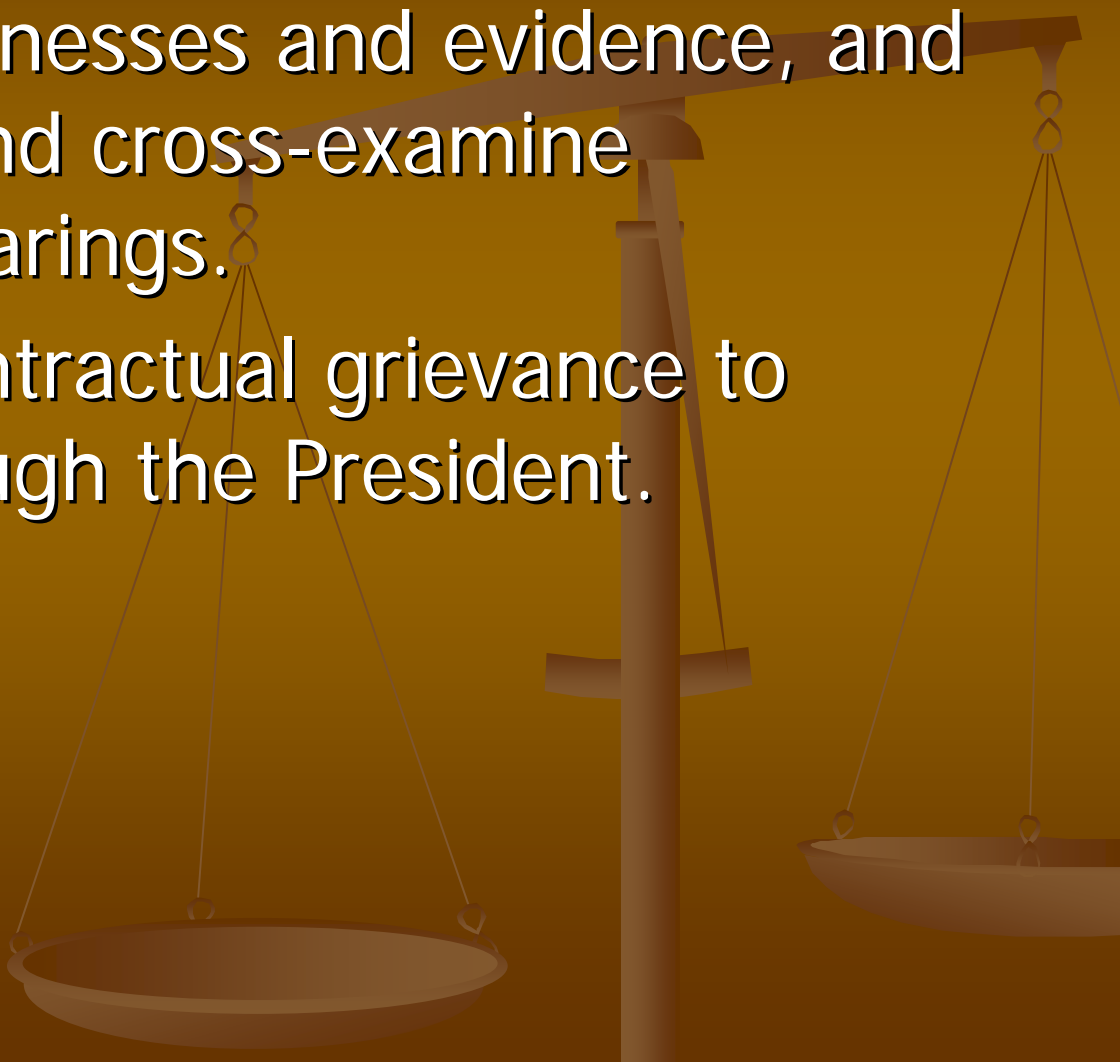
Representation at grievance proceedings

- Contractual grievances can only be processed with union representation.
- Non-contractual grievances can be processed without union representation, but can only go to Step Two.



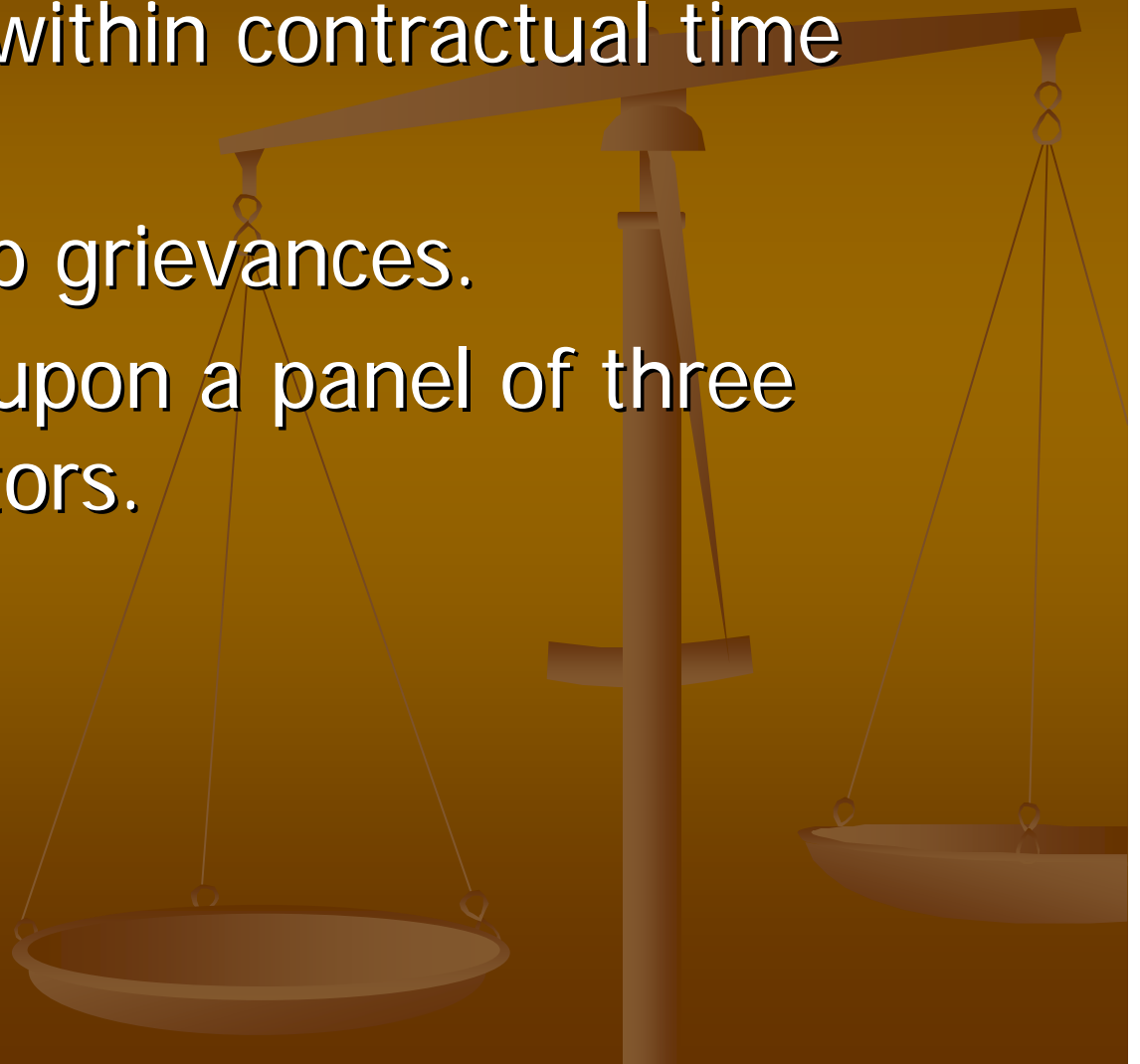
Union Grievance Rights

- Sole discretion in deciding to move a grievance to arbitration.
 - Discretion to terminate a grievance at any step.
 - Up to one hour paid time to investigate a grievance that has been filed.
 - Paid time to appear at any grievance proceeding, to include travel time.
 - Hour-for-hour comp time for appearance at any grievance outside of normal hours.
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- May present witnesses and evidence, and may examine and cross-examine witnesses at hearings.
 - May move a contractual grievance to arbitration through the President.

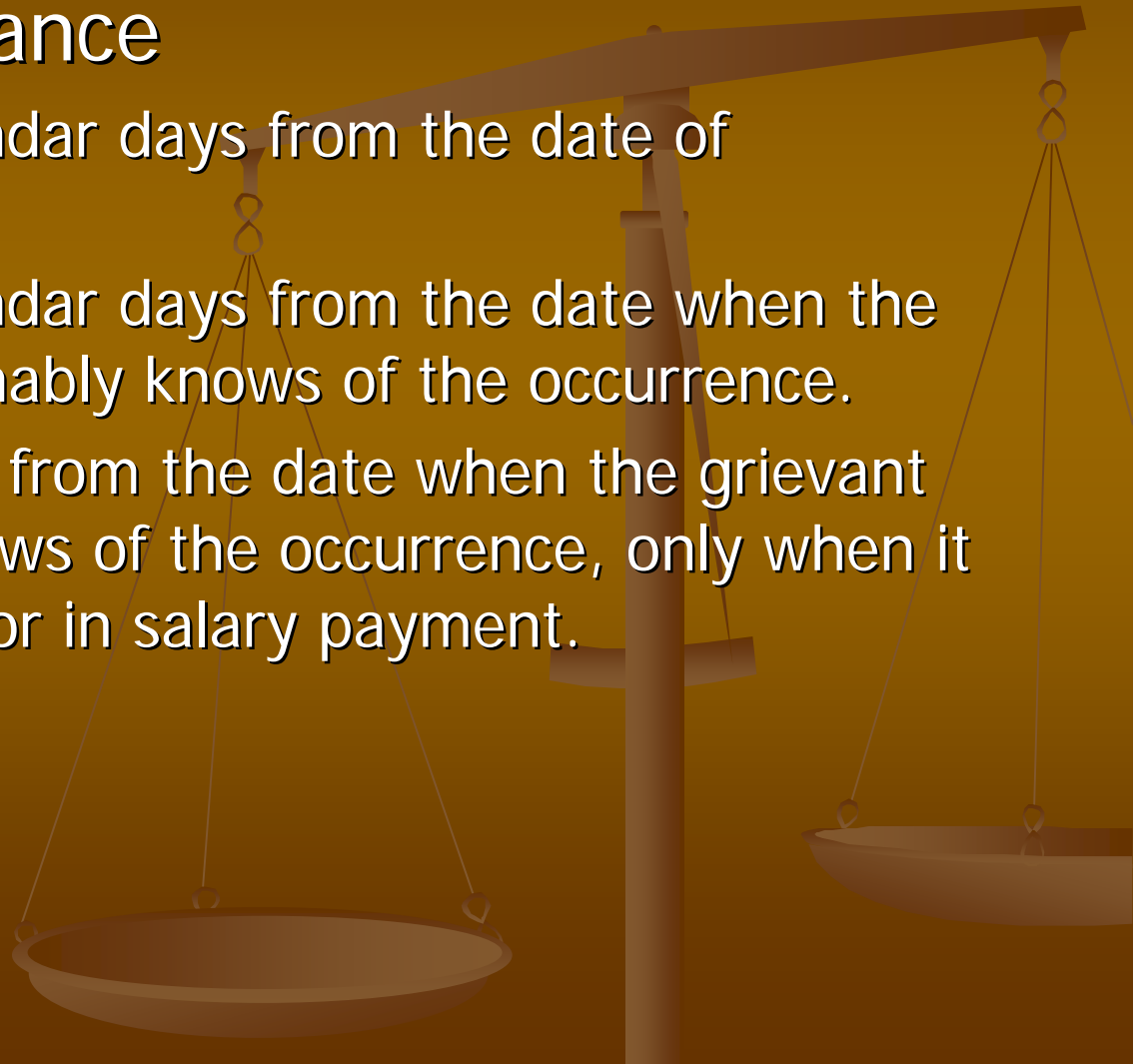
Union Grievance Responsibilities

- File grievances within contractual time limits.
- Represent group grievances.
- Mutually agree upon a panel of three rotating Arbitrators.



Grievance Time Limits

- Filing of a grievance
 - Within 15 calendar days from the date of occurrence.
 - Within 15 calendar days from the date when the grievant reasonably knows of the occurrence.
 - Within 30 days from the date when the grievant reasonably knows of the occurrence, only when it involves an error in salary payment.



Grievance Time Limits

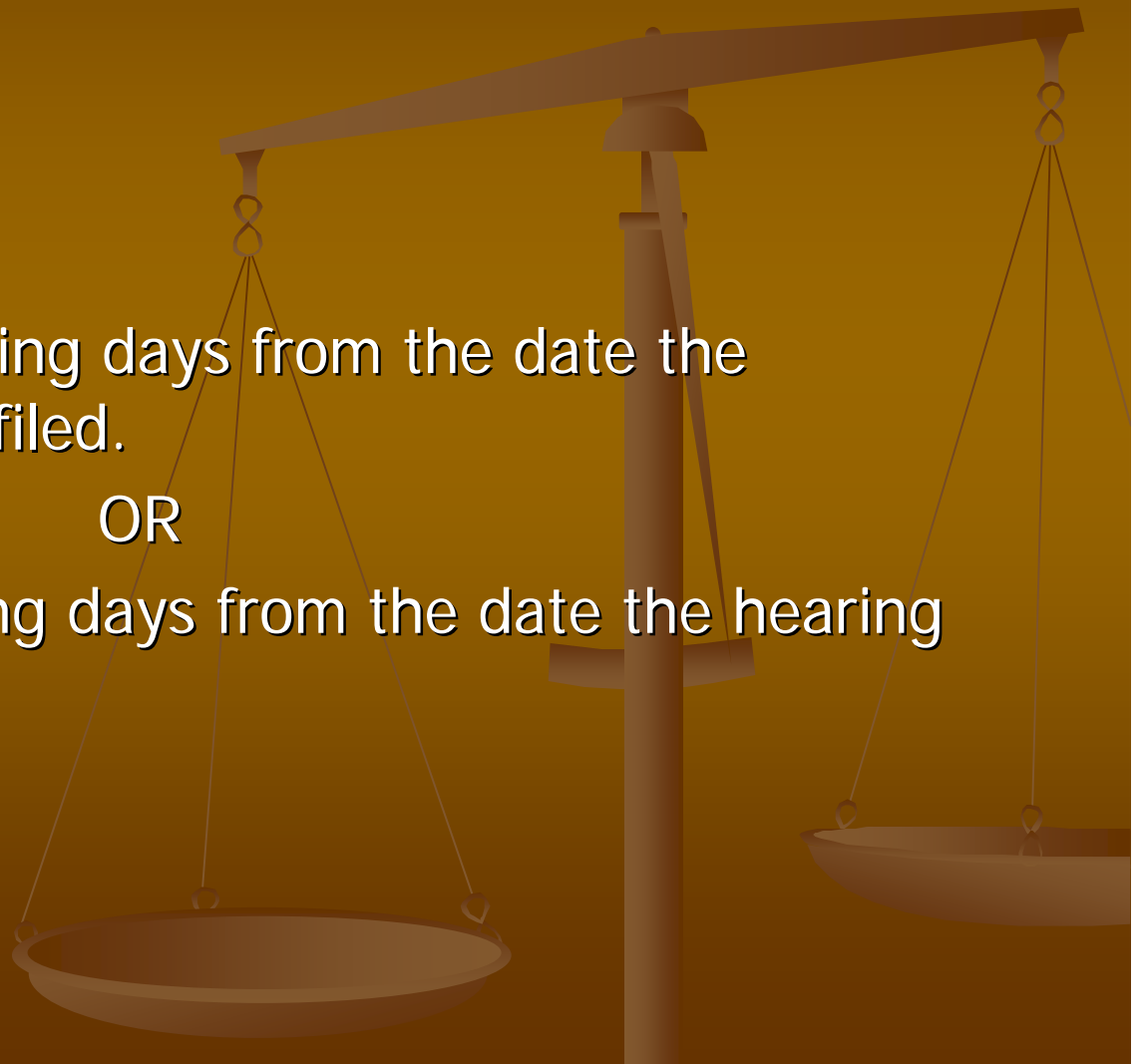
- Decisions

- Step One

- Within 10 working days from the date the grievance was filed.

OR

- Within 3 working days from the date the hearing was concluded.



Grievance Time Limits

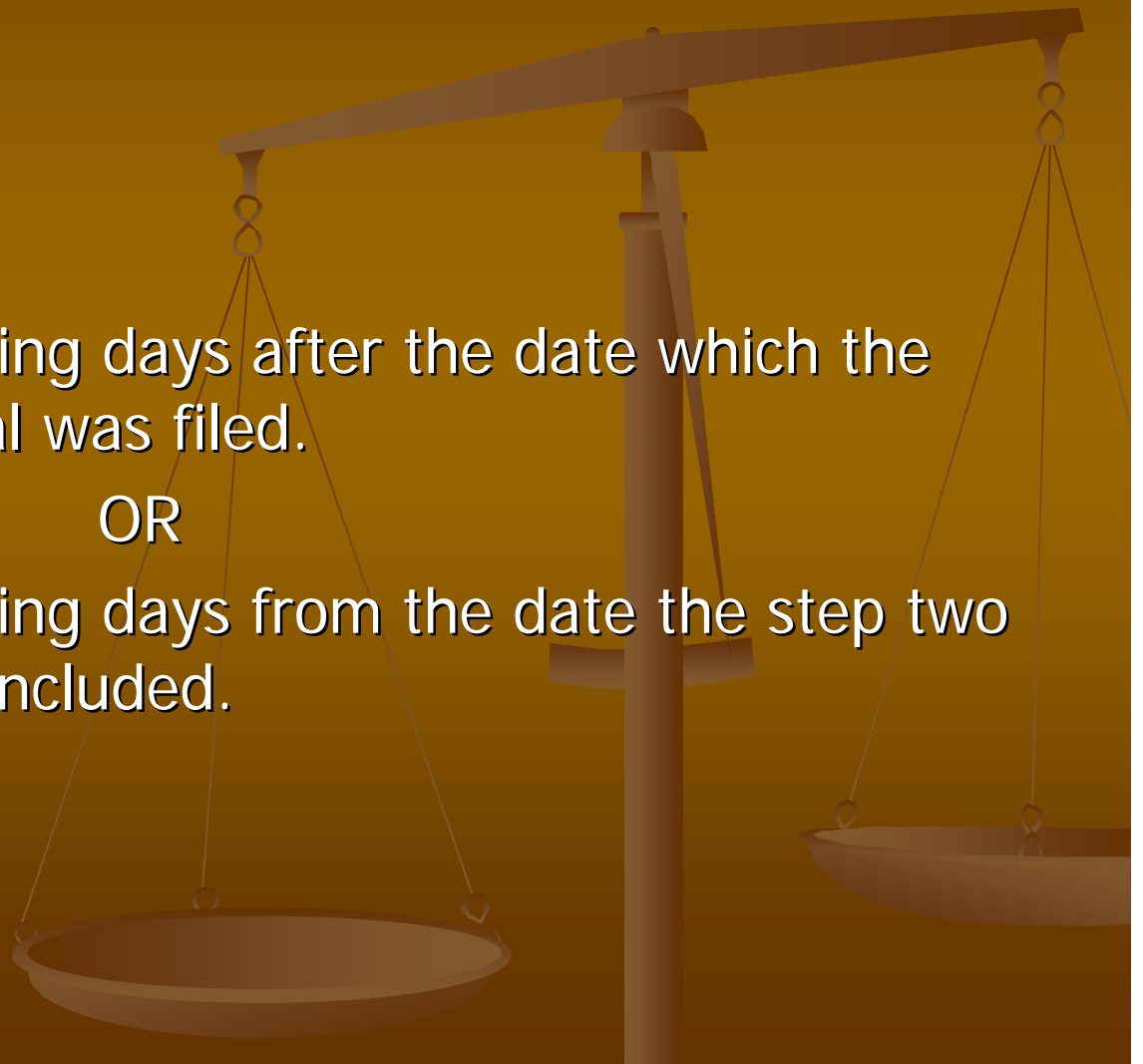
- Decisions

- Step Two

- Within 15 working days after the date which the first step appeal was filed.

OR

- Within 15 working days from the date the step two hearing was concluded.

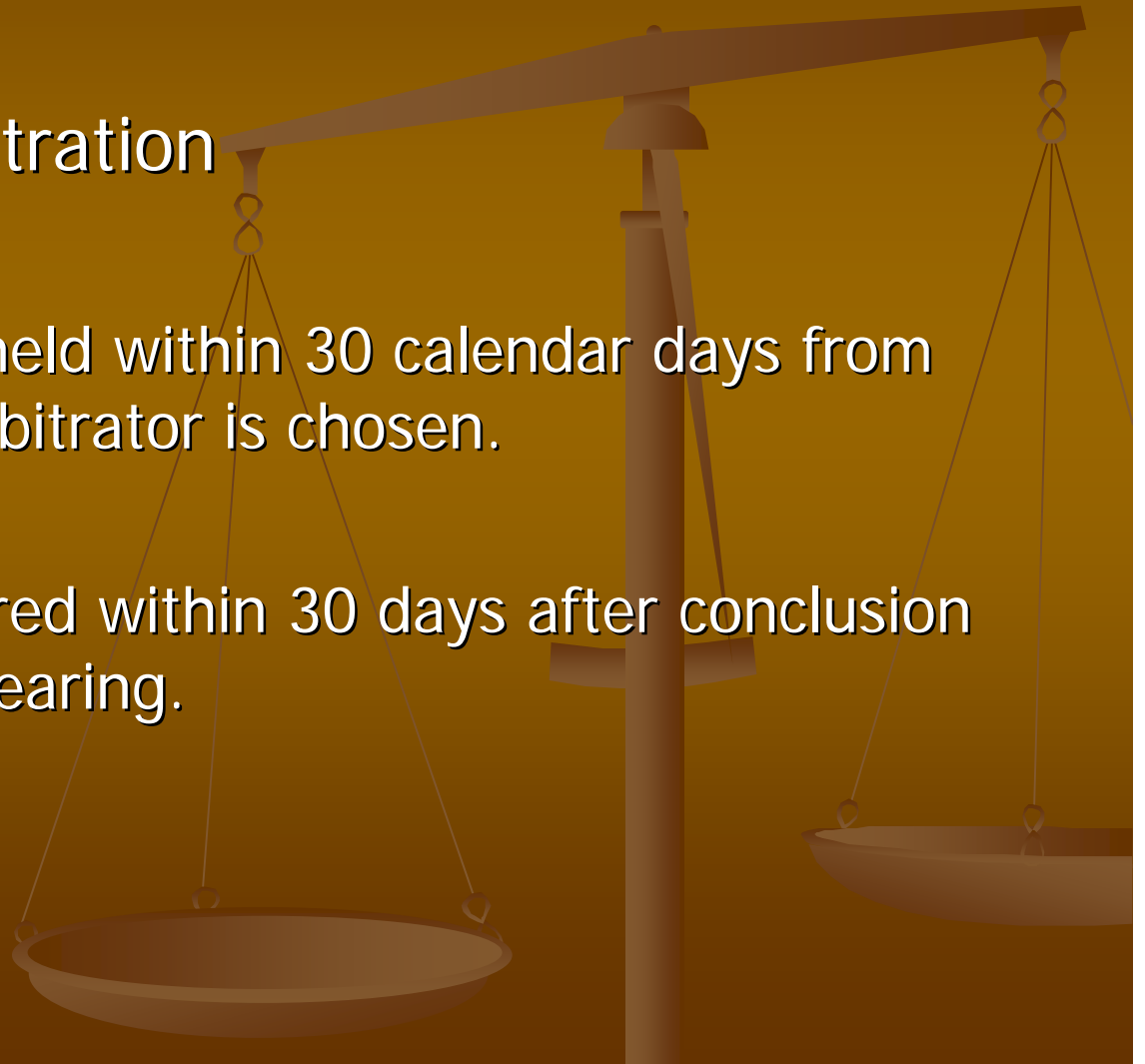


Grievance Time Limits

- Decisions

- Step Three Arbitration

- Hearing to be held within 30 calendar days from the date the Arbitrator is chosen.
 - Decision rendered within 30 days after conclusion of arbitration hearing.



Grievance Time Limits

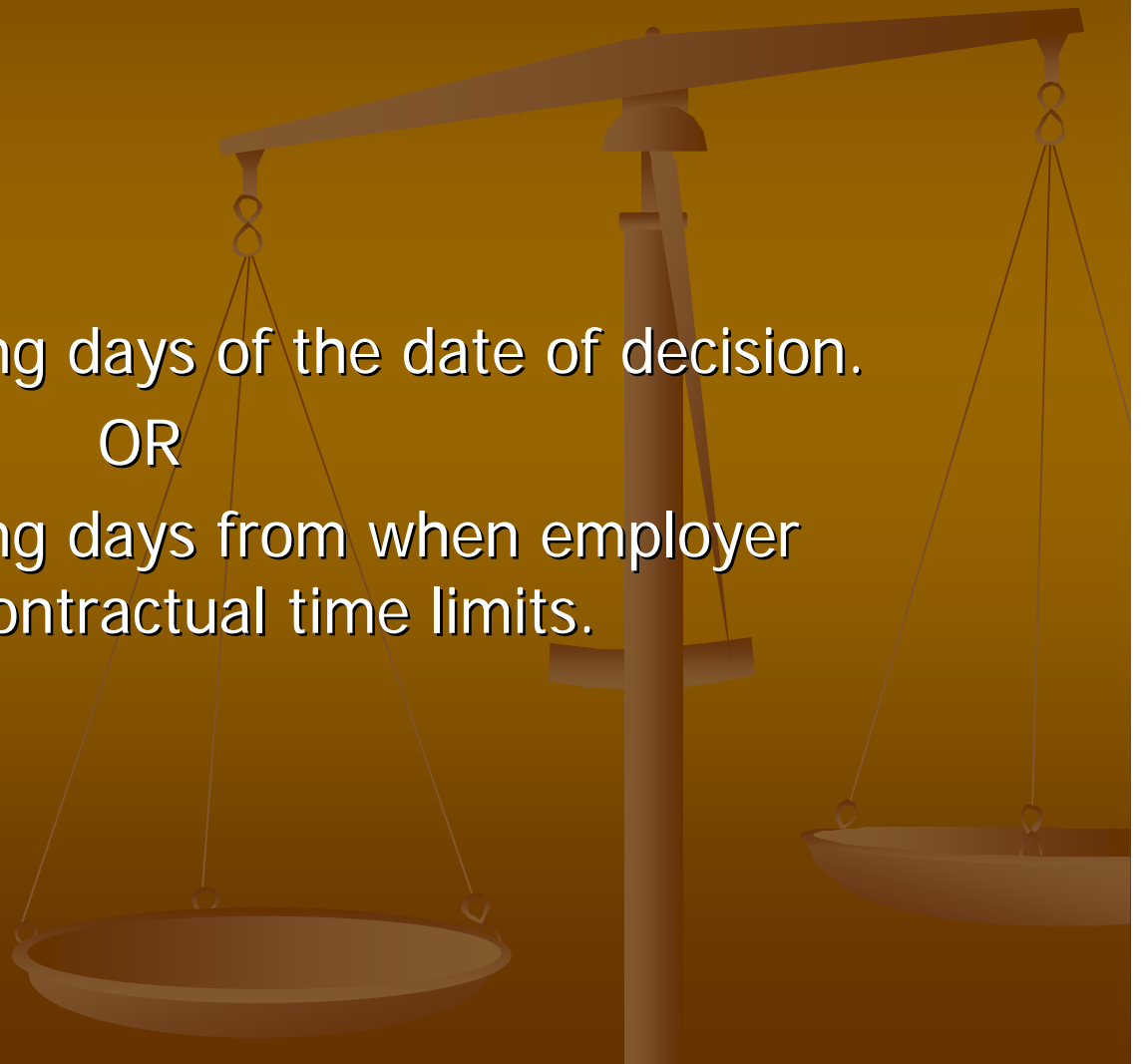
- Appeals

- Steps 1 & 2

- Within 3 working days of the date of decision.

OR

- Within 3 working days from when employer doesn't meet contractual time limits.

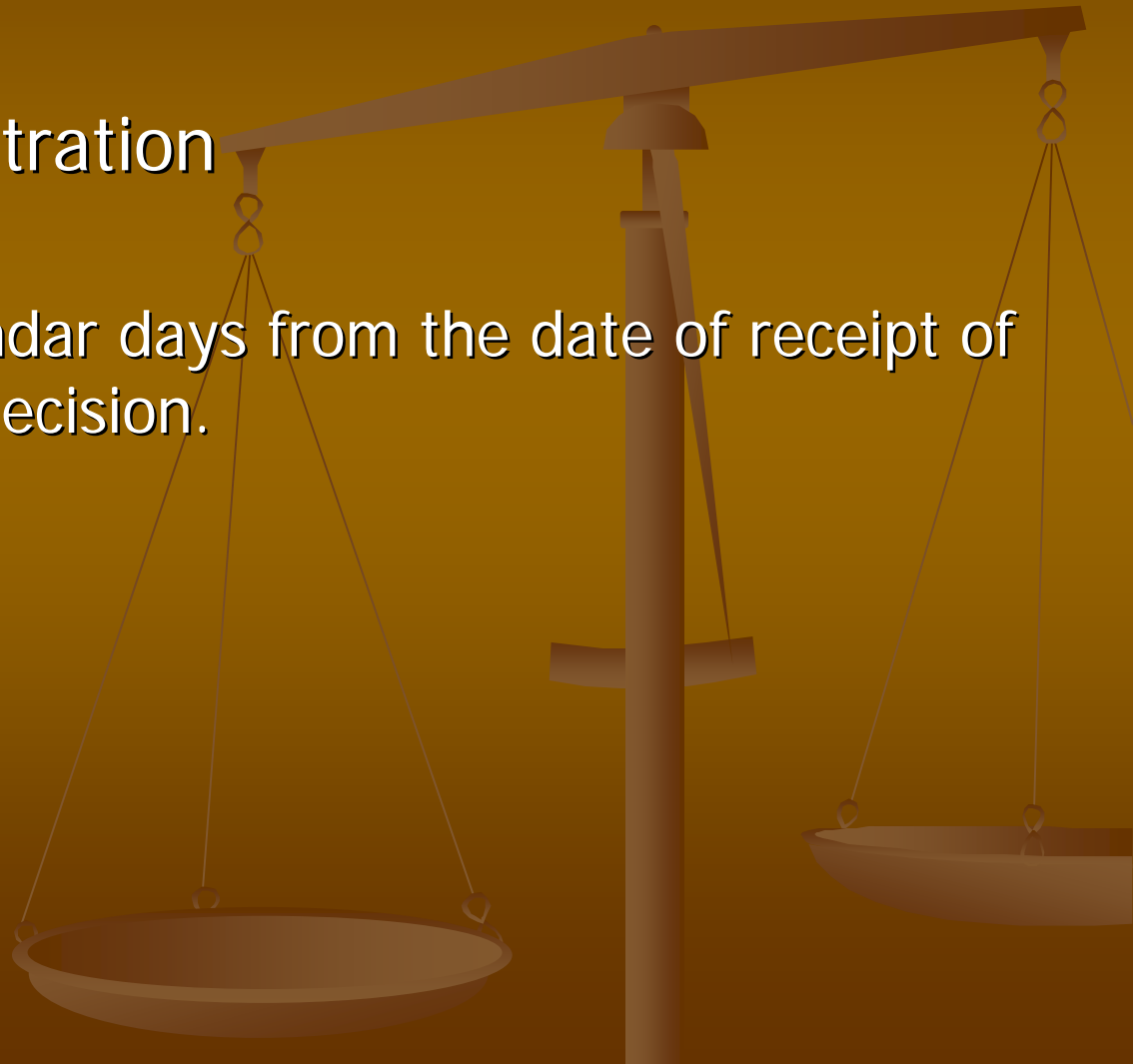


Grievance Time Limits

- Appeals

- Step Three Arbitration

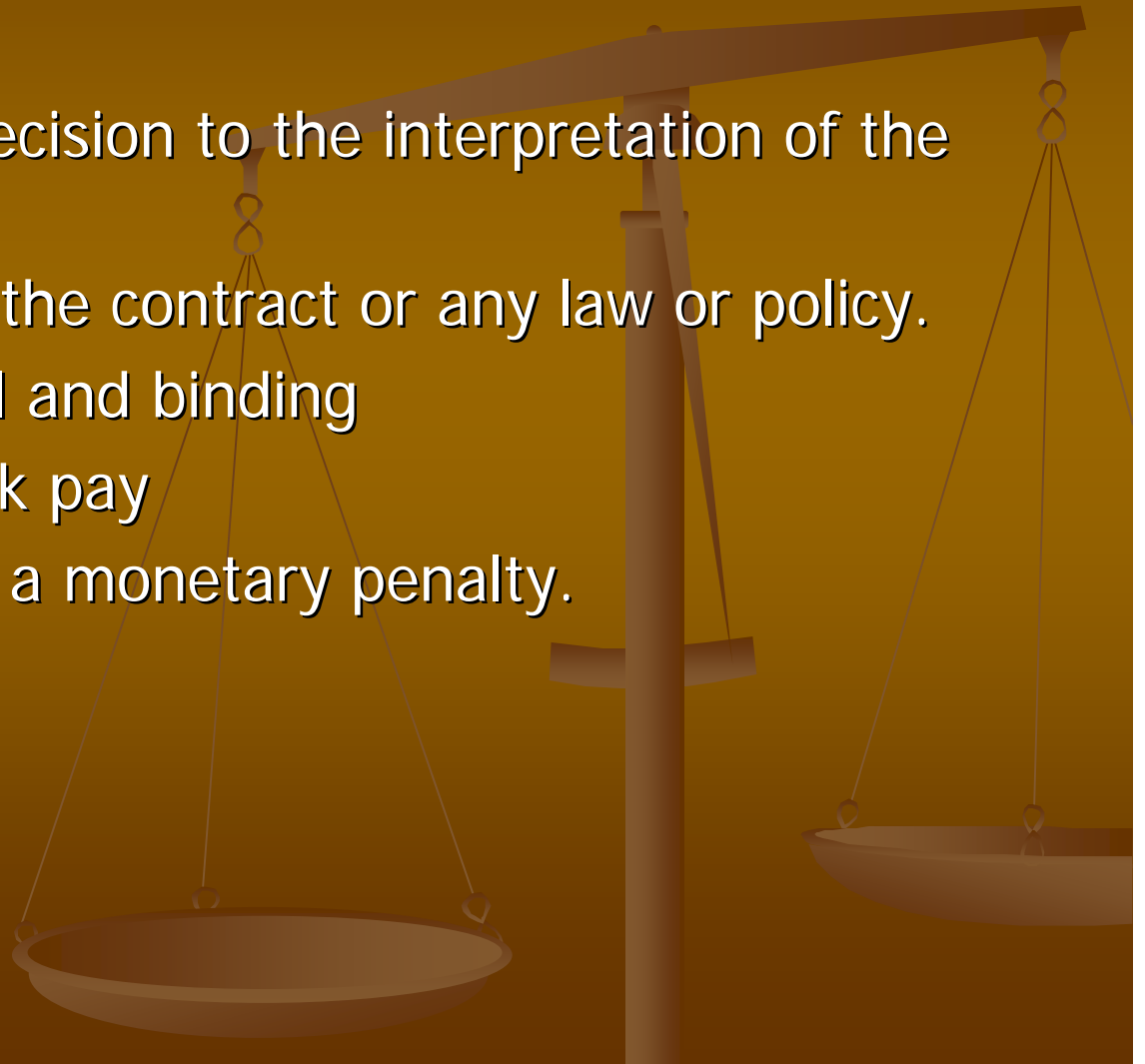
- Within 10 calendar days from the date of receipt of the Step Two decision.



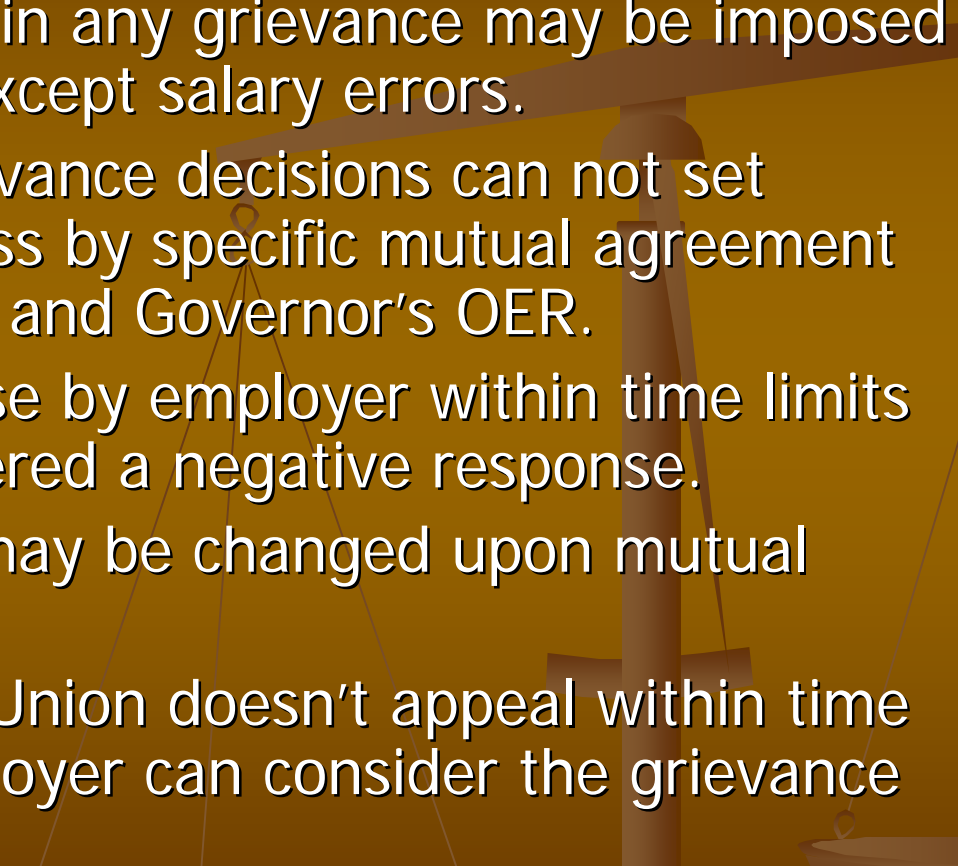
Grievance Arbitration Notes

■ Arbitrators

- Must confine decision to the interpretation of the contract.
- Cannot modify the contract or any law or policy.
- Decision is final and binding
- May award back pay
- May not award a monetary penalty.

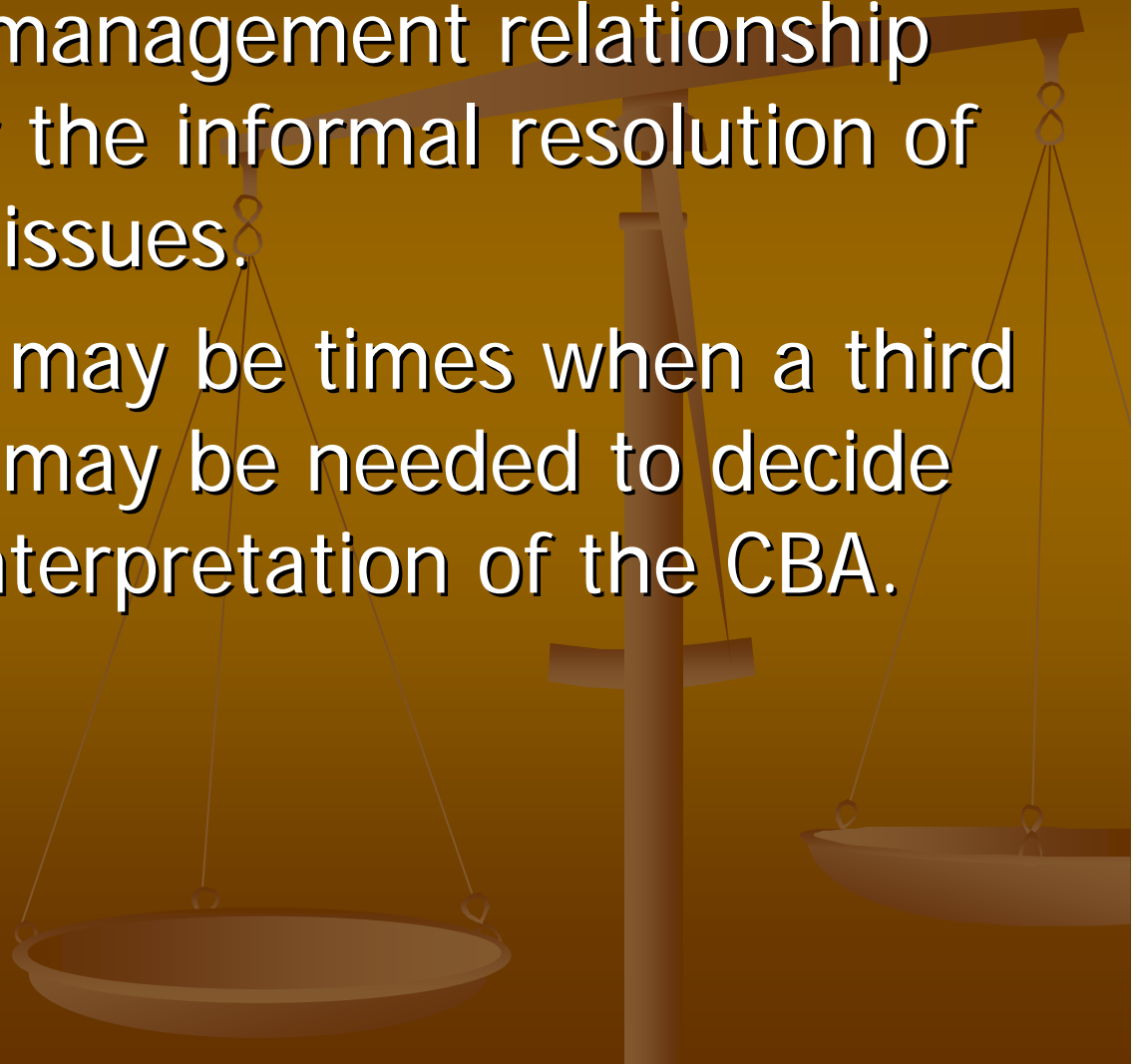


Grievance Notes

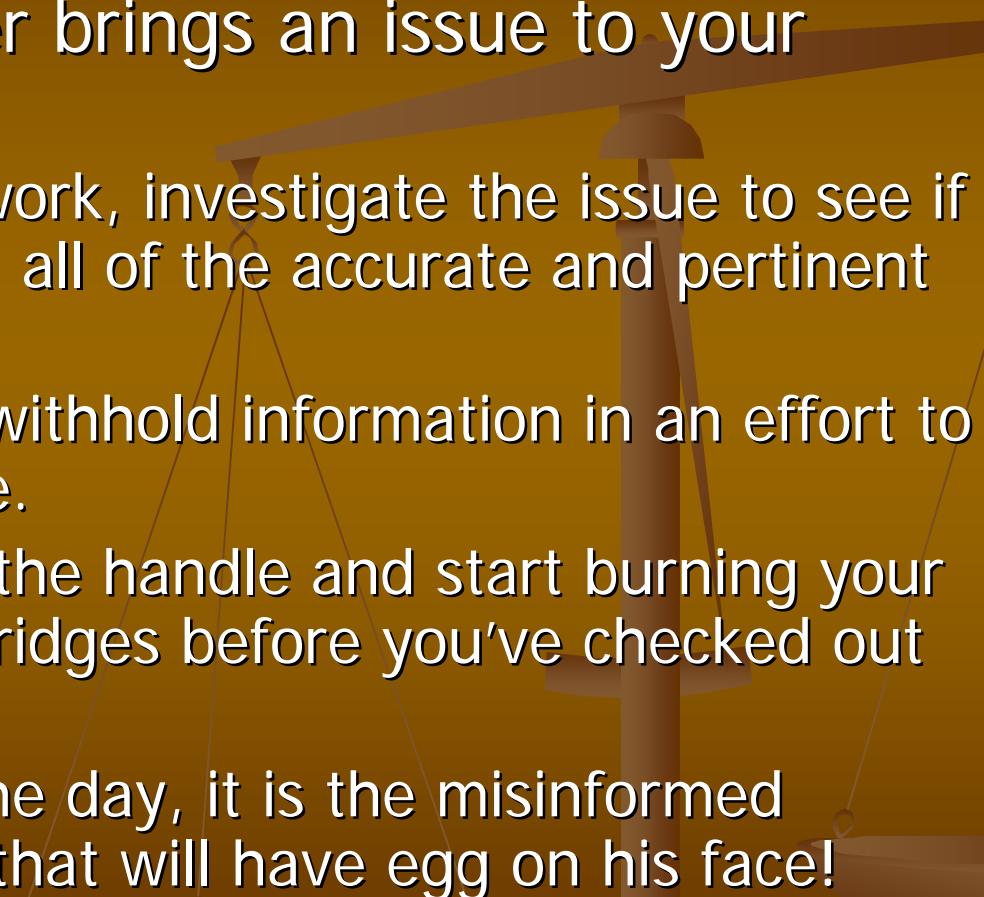
- No adjustment in any grievance may be imposed retroactively, except salary errors.
 - Step 1 & 2 grievance decisions can not set precedent unless by specific mutual agreement between Union and Governor's OER.
 - Lack of response by employer within time limits may be considered a negative response.
 - All time limits may be changed upon mutual agreement.
 - If at any step, Union doesn't appeal within time limits, the employer can consider the grievance closed.
- 

Grievances

- The best labor/management relationship should allow for the informal resolution of most grievance issues.
- However, there may be times when a third party arbitrator may be needed to decide differences of interpretation of the CBA.



Grievance Notes for the Representative

- When a member brings an issue to your attention
 - Do your homework, investigate the issue to see if you've received all of the accurate and pertinent facts.
 - Members may withhold information in an effort to make their case.
 - Don't jump off the handle and start burning your management bridges before you've checked out the complaint.
 - At the end of the day, it is the misinformed representative that will have egg on his face!
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Grievances

- And Finally

- If you're not sure of an issue, or how to proceed, reach out to the Executive Board for guidance!!!

