

## **EMPLOYEE GRIEVANCE AND COMPLAINT PROCEDURES**

### **SECTION I: ADMINISTRATION**

Administration of this complaint procedure shall be the responsibility of the Office of Human Resources.

### **SECTION II: DEFINITIONS**

The following definitions shall apply in this complaint procedure:

1. The “administrative management team” includes all executive directors, deputy superintendents, assistant superintendents, and others designated by the Superintendent.
2. A “complaint” is a general expression of dissatisfaction/concern with an employment-related issue.
3. A “complainant” is any full-time employee filing a complaint.
4. The “complaint form” is the approved documentation on which a complaint may be filed.
5. The term “day” shall mean working school days and shall not include weekends, holidays, and vacation days.
6. A “full-time employee” is any person employed on a regular basis and working the number of hours designated as full-time for that position.
7. A “grievance” is a written claim by an employee of an alleged violation and/or inconsistent application of a written District policy/standardized practices or federal/state law.
8. The “reviewing committee” are the individuals responsible for rendering a decision at Step Two of these complaint procedures.
9. Retaliation is an adverse action taken as a result of an employee filing a complaint or grievance.

### **SECTION III: PROCEDURES**

#### **STEP ONE**

All complaints or grievances as defined above must be presented to the employee’s immediate supervisor within ten (10) days from the time the complaint becomes known. The complainant will present his/her complaint, in writing, by completing a “Step One Complaint Form” and providing it to his/her immediate supervisor to resolve the matter informally and without further action.

The immediate supervisor shall provide a written response to the complaint within fifteen (15) days after the receipt of the written complaint form.

In cases where the “immediate supervisor” is the subject of the complaint, employees shall submit their initial report to the next-level supervisor.

#### **STEP TWO**

If the complaint or grievance is not resolved at the Step One level, the employee may, within five (5) days of receipt of the immediate supervisor’s written response, submit the “Step Two Complaint Form” to the Office of Human Resources. The Executive Director of Human Resources shall chair a committee

consisting of members of the administrative team within 10 days of the receipt of the “Step Two Complaint Form”.

All other administrators in line of authority will be consulted as necessary. The committee will initially determine whether the complaint on its face merits further consideration. If this determination is negative, the committee shall respond to the complainant in writing with statements that support its decision. Otherwise, the committee will proceed as it deems necessary to obtain sufficient information with which to reach a decision.

The committee will prepare a written summary of all relevant facts, being careful to state such facts fairly and objectively. The committee will then express its findings and conclusions. The summary of facts, findings, and conclusions will then provide the basis for subsequent review in the event of a further appeal by a complainant.

### **STEP THREE**

Within five (5) days of receipt of the response of Step Two, the complainant may appeal this decision by submitting the “Step Three Complaint Form” to the Office of the General Counsel who serves as the designee for the superintendent of schools.

The superintendent’s designee will review the written summary of the Step Two reviewing committee within ten (10) days of receipt of the Step Two appeal and render a written decision within fifteen (15) days following the review.

## **SECTION IV: COMPLAINT PROCEDURE FORM DISTRIBUTION**

### **STEP ONE**

1. Complainant retains original copy of the written complaint and gives a copy to his immediate supervisor and immediate supervisor’s supervisor

#### **After Written Decision**

1. Copy to the complainant
2. Copy to Office of Human Resources
3. Copy retained by immediate supervisor and the immediate supervisor’s supervisor

### **STEP TWO**

1. Complainant retains original copy of written appeal After Review and Written Decision
2. Copy to the complainant
3. Copy to Step 1 immediate supervisor and the immediate supervisor’s supervisor
4. Copy retained in Office of Human Resources

### **STEP THREE**

1. Complainant retains original copy of the written appeal

#### **After Written Decision**

1. Copy to the complainant
2. Copy to Step 1 immediate supervisor and the immediate supervisor’s supervisor
3. Copy to Office of Human Resources

4. Copy retained by superintendent's designee

#### **SECTION V: ADDITIONAL CONSIDERATIONS**

1. The District reserves the right to extend the stated time limits, when necessary, at any step in this complaint procedure.
2. Information collected during Step Two proceedings is confidential and does not become part of the employee's official personnel file. A copy of documents, communications, and records related to the processing of a complaint will be placed in a separate file that is maintained by the Office of Human Resources.
3. A complainant's failure to proceed from one step of the procedure to the next within the set time limits shall be deemed acceptance of the decision previously rendered and shall eliminate any future review concerning that particular complaint.
4. The failure of the reviewing officers to communicate their decision to the complainant within the time limits shall permit the complainant to proceed to the next step.
5. If more than one employee in the same department, school, or office has a similar complaint that has individually been discussed as provided in Step One, the complaints may be consolidated and heard by the Step Two reviewing committee.
6. Complaints filed that have been resolved within the three (3) previous years through the complaint procedure shall be invalid. The Office of Human Resources shall provide the complainant a statement of the ruling involving the same subject matter.
7. A complainant's failure to file the complaint in writing on the appropriate form as specified in each step shall mean the complaint is waived.
8. The Step Two reviewing committee may determine whether facts in support of the complaints should be presented in writing or orally by persons having information regarding a specific complaint or by any combination of these methods. Representation of a complainant by other individuals shall not be permitted.
9. The filing of a complaint shall in no way interfere with the right of the administration or board to continue its management responsibilities subject to the final decision of the complaint. The action or condition which is the subject matter of the complaint shall remain in effect pending final resolution.
10. The complainants may withdraw their complaint at any step without prejudice. However, they shall not be permitted to re-file that same complaint once withdrawn.
11. Retaliation against any employee for filing a complaint or for participation in any way in this procedure is prohibited.
12. A complainant's failure to attend a step review without legitimate cause constitutes acceptance of the decision previously rendered and waiver of any future appeal concerning that complaint.

GAE/CB – Employee Grievance and Complaint Procedures

SOURCE: Jackson Public School District, Jackson, Mississippi

DATE: October 16, 1978

REVIEWED: July 20, 2021

AMENDED: August 3, 2021