

Employee Grievance Process

PART VIII

APPEALS

Level IV Response – Statement of the Superintendent:

With respect to the limited issue concerning the implementation of timelines imposed on the classified grievance process, the Board finds that the Grievance was properly denied as untimely under Procedure 03.26 AP.1. Board Policy 03.26 delegates authority to District administration to establish and implement grievance procedures, including the timelines governing the grievance process.

That delegated authority necessarily includes the ability to impose and enforce filing deadlines and procedural requirements. The administration implemented those timelines through Procedure 03.26 AP.1, which expressly requires employees to raise concerns in the grievance process within specified timeframes. The record reflects that those timelines were not met in this matter.

The Board is sympathetic to the Grievant’s argument that the result is unfair under the circumstances in his struggles to receive a response from his superiors. However, the Board’s role is not to rewrite or disregard duly adopted procedures. The District acted within its authority in enforcing the grievance deadlines as written.

Because the remaining issues raised in the Grievance fall outside the Board’s jurisdiction, they will not be addressed at this level.

Ruling:

To the extent that it finds the Grievance untimely, the Level III determination is AFFIRMED. The grievance was untimely under Procedure 03.26 AP.1 and was therefore properly rejected as procedurally deficient. The District appropriately enforced the grievance procedures and timelines established pursuant to the authority delegated by Board policy.

Superintendent Signature: _____ **Date:** _____

I agree with the ruling of the Board and consider this grievance closed.

Board Chair Signature: _____ **Date:** _____

Employee Signature: _____ **Date:** _____

Human Resources Signature: _____ **Date:** _____

The ruling of the Board of Education is final. Board Policy 03.26 governs involvement in the grievance process by the Board of Education.

Review/Revised:5/11/2023