

POLICY

BOARD OF EDUCATION ROSELAND

TEACHING STAFF MEMBERS
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Grievance

3340 GRIEVANCE

This policy provides a means by which an employee whose grievance procedure is not defined in a contract with the Board may appeal the interpretation, application, or violation of policies and agreements affecting him, except:

- A. A claim of a non-tenure employee which arises by reason of his not being re-employed.
- B. A claim by an employee occasioned by appointment to or lack of appointment to, retention in or lack of retention in any position for which tenure is either not possible or not required.
- C. Any policy of the Board pertaining to its internal operation.
- D. Any matter for which a method of review is prescribed by law.
- E. Any rule or regulation of the State Board of Education or Commissioner of Education, but not to the violation, misinterpretation, or misapplication of such a rule or regulation.

To be considered under this procedure, a grievance must be initiated by the employee within 10 calendar days of its occurrence. All time limits specified are considered maximum.

Procedure:

1. Failure by the administration at any step of this procedure to communicate the decision on a grievance within the specified time limits shall permit the aggrieved person to proceed to the next step. Failure by the employee at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that step.
2. It is understood that employees shall, during and notwithstanding the pendency of any grievance, continue to observe all assignments and applicable rules and regulations of the Board until such grievance and any effect thereof shall have been fully determined.



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3. In the presentation of a grievance, the employee shall have the right to designate any representative(s) of his own choosing to appear with him at any level.
4. All meetings and hearings under this procedure shall be conducted in private and shall include only such parties in interest and their designated or selected representatives.

Level One

Any employee who has a grievance shall discuss it first with his immediate superior, in an attempt to resolve the matter informally.

Level Two

If as a result of discussion the matter is not resolved to the satisfaction of the employee within five school days, he shall set forth his grievance in writing to the Superintendent specifying:

- a. The nature of the grievance and date occurred.
- b. The nature and the extent of injury, loss, or inconvenience.
- c. The results of previous discussions.
- d. His dissatisfaction with decisions previously rendered.

The Superintendent shall communicate his decision to the employee in writing within 10 days of receipt of the written grievance.

Level Three

If the grievance is not resolved to the employee's satisfaction, he may, no later than five school days after receipt of the Superintendent's decision, request a review by the Board. This request shall be submitted in writing through the Superintendent. The Board, or a committee thereof, may review the grievance and shall (at the option of the Board hold a hearing with the employee) render a decision in writing within 30 calendar days of receipt of the grievance by the Board or of the hearing with the employee, whichever comes later.

N.J.S.A. 34:13A-5.3

Adopted: August 17, 1994

