

Human Resources Department

Administrative Guideline No. 2018 No. 1



Re: Non-Represented Employee Grievance Procedure
Date: June 7, 2018
From: Clover Codd, Assistant Superintendent for Human Resources

The purpose for this Administrative Guideline is to provide non-represented employees for Seattle School District No. 1 ("District") with an internal process for having an employment grievance reviewed in a timely and efficient manner.

Policy Statement:

The District is committed to the fair and equitable treatment of all employees, including non-represented employees. Employees are encouraged, though not required, to discuss concerns with their supervisor directly and informally on an ongoing basis. Nothing in this guideline shall preclude employees from engaging in informal discussions to resolve potential disputes.

Definitions:

- "Grievance" is defined as a claim based upon an event or condition, allegedly caused by the misinterpretation or inequitable application of written District policies, procedures, guidelines, rules, or practices, which affects an employee's working conditions. A grievance can only be filed for an act or event that occurred. A decision on termination, lay-off, reduction of assigned FTE, position classification, and/or a counseling letter/verbal warning may not be grieved by non-represented employees under this guideline. Discrimination; Harassment, Intimidation, Bullying; Sexual Harassment; and Retaliation findings and complaints are reviewed pursuant to other School Board adopted policies and procedures.
- "Grievant" is defined as a current non-represented employee of the District who feels they have a grievance.
- "Supervisor" means the person who signs the annual evaluation for the Grievant.

Procedure:

To commence a grievance under these guidelines, a written communication (email or letter) must be submitted to the Executive Director of Labor and Employee Relations in the District's Human Resources Department ("HR") by the Grievant within thirty (30) calendar days following the event or occurrence upon which it is based. Any grievance related to a mid-year or annual evaluation must be submitted to HR within fifteen (15) days following receipt of the evaluation. A grievance related to salary may be filed at any time when the situation is discovered, but in no event later than any applicable statute of limitations period in federal, state, or local law.

Oral grievances and emails to supervisors are not allowed under this guideline. A grievance must be in writing and to HR. The grievance must contain a concise statement of what action they want the District to take (the nature of the grievance), the facts upon which the grievance is based, why the Grievant believes a policy/rule/guideline was or was not violated or equitably applied, why their requested action should be taken, and the relief or remedy the Grievant seeks. The Grievant should attach any relevant documents, e.g., the disciplinary letter.

The grievance will most likely be assigned by HR to the employee's supervisor, including any evaluation grievance. In its discretion, HR may assign the grievance to a higher-level supervisor or to an executive in the HR Department. The person hearing the grievance may decide it on a paper review, after getting a response memorandum from the supervisor or from HR, or they can decide to meet with the Grievant in person, with the supervisor or HR present.

A written response shall be mailed/given to the Grievant by the person hearing the grievance within thirty (30) calendar days after the grievance was filed. This timeline may be adjusted for business necessity. This response is considered a final action by the District and no further internal appeals are permitted. Any appeal of the final decision is to King County Superior Court pursuant to the terms and timelines contained in RCW 28A.645.

Miscellaneous:

- Non-Represented staff are employed under Board Policy No. SOSO and are considered at-will employees, unless otherwise stated differently by written employment contract, state law, or board policy. This grievance guideline does not change the at-will status of non-represented employment.
- The Grievant shall be allowed to have one person attend any in-person meeting, if the grievance is not done on a paper review.
- Employees who are represented by a collective bargaining unit may not use this guideline to file a grievance. This guideline is only for employees who are not represented under a collective bargaining agreement.
- The District's Anti-Retaliation Policy No. 5245 applies to any employee who files a grievance under this guideline.
- HR Administrative Guideline No. 2018 No. 1 rescinds and replaces any prior non-represented staff grievance procedures or forms in existence, including an undated procedure titled "Non- Represented Staff Grievance Procedure."



Dr. Clover Codd
Assistant Superintendent for Human Resources