



## **GRIEVANCE PROCEDURE**

The procedures set forth in this section shall be available to permanent employees aggrieved by some administrative action, or some refusal to grant a requested action. All employees (except the Executive Director) must exhaust these grievance procedures prior to communication concerning any employee grievance with any Board Member, unless there is a clear threat of irreparable harm to the program or to an individual served, in the absence of immediate action which the Executive Director has refused to take. In the latter case, the matter should be communicated directly to the Chairperson of the Board, if available, and if not, to any other Board member at the earliest reasonable time.

1. **Informal Efforts Required:** After a grievance arises, the aggrieved employee shall first communicate with the employee whose conduct is the subject of complaint, and there should be a demonstrated effort to resolve the matter informally and individually at the onset.
2. **Request for Grievance Meeting:** If, after the expiration of a reasonable time and opportunity for informal resolution of the matter, it remains unsettled, the employee may request a grievance meeting with the Executive Director. The request shall be in writing and signed by the aggrieved employee. It shall be delivered to the Executive Director personally, and a copy thereof retained by the employee. In order for the request to be valid and acceptable, it must contain: a plain, concise and complete statement of the facts and circumstances of the grievance; substantially all information, pro and con, known to the employee related to the grievance; and a specific statement of what administrative action the employee requests the Executive Director to take, or to refrain from taking, as a means of alleviating the problem.
3. **Scheduling of Grievance Meeting:** Upon receipt of a proper request for a grievance meeting, the Executive Director shall schedule the requested meeting at a reasonable place and time to be selected by the Executive Director, but not to occur later than fifteen (15) days after the Executive Director's receipt of the request. Time periods of Board-approved absences of the Executive Director shall not be included in the computation of any time prescribed under this rule.
4. **Grievance Meeting Procedure:** At the grievance meeting, the Executive Director shall preside and consider such evidence, information and arguments as may be deemed by the Executive Director to be appropriate to a proper understanding of the grievance, and to a proper evaluation of the relief sought. At the conclusion of the meeting, the Executive Director may announce a decision or may opt to take the matter under advisement.
5. **Formal Decision of the Executive Director:** Within seven (7) days following the conclusion of the grievance meeting, the Executive Director shall determine whether or not the requested relief is in the best interest of the program and shall communicate to the employee in writing the decision, either to grant or deny the requested relief, accordingly. He shall send a duplicate copy to the employee's immediate supervisor. The Executive Director may use the "Complaint Resolution Plan" form to clarify employee concerns/complaints as well action plans and parties responsible for action plans to be taken. (A copy of this form is located in the appendix section of this manual.)

6. **Appeals (When Permitted):** The procedure of appealing a decision of the Executive Director is not available as a means of causing the Board of Directors to substitute its administrative judgment for that of the Executive Director. However, an appeal is available if the Executive Director's actions are illegal, contrary to policy promulgated by the Board of Directors, or constitutes an abuse of the Executive Director's discretion in the administration of the program. Such cause for appeal must be clearly documented and specified prior to taking a matter before the Board of Directors.
7. **Request for Board Review:** An employee desiring to appeal a decision of the Executive Director on one or more of the aforesaid grounds, shall deliver a request for Board review to the Chairperson of the Board of Directors, if available, or to some other member of the Board of Directors if the Chairperson is unavailable, within seven (7) days following receipt of the decision of the Executive Director. The request shall be in writing and signed by the employee, and it shall have appended to it a copy of the request for a grievance meeting, and the written decision of the Executive Director, if one has been provided. Additionally, it shall contain a brief and concise statement stating wherein and why the conduct of the Executive Director is claimed to be illegal, contrary to policy promulgated by the Board, or an abuse of discretion, and finally what specific relief the employee requests the Board to grant as a means of alleviating the problem. This procedure shall constitute the only means of challenging the Executive Director's authority and responsibility for ultimate supervision of all employees.
8. **Board Consideration of the Appeal:** Thereafter, the Board shall consider the request and conduct such investigations, hearings, and other actions as the Board shall deem appropriate, and shall grant or deny the requested relief within a time that is reasonable under all the circumstances surrounding the problems and the appeal. The Executive Director shall attend all Board meetings where grievance appeals are heard.