

COMPLAINT PROCEDURE

The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems which may from time to time arise; affecting employees. These proceedings will be kept as informal as may be appropriate at any level of the procedure.

Any employee having a work-related problem, concern or complaint, shall have the opportunity to reconcile such an item, eventually taking it to the Board of School Directors if the employee would so desire.

Definition

A “complaint” shall be allegation by an employee (or group of employees) that there has been a personal loss, injury or inconvenience to him/her because of a violation, misinterpretation or inequitable application of School Board policies, rules, regulations or practices which affect the working conditions of employees.

A “complaint” is not to be confused with a “grievance.” A grievance is defined in the current negotiated agreements between the Turkeyfoot Valley Area Education Association and the Turkeyfoot Valley Area School Board and Turkeyfoot Valley Area Support Personnel Association and the Turkeyfoot Valley Area School District. All grievances are to be processed exclusively by the process described therein. All complaints are to be processed exclusively by the process described herein.

Since it is important that complaints be processed as rapidly as possible, the number of days indicated at each level should be considered as a maximum and every effort should be made to expedite the process. The time limit specified may, however, be extended by mutual agreement. Days referred to in the complaint procedure shall mean employee work days.

In the event a complaint is filed at such time, it cannot be processed through all the steps of this complaint procedure by the end of the school year and, if left unresolved until the beginning of the following school year, could result in his/her reputable harm to the complainant. The time limit set forth here shall be reduced so that the complaint procedure may be exhausted prior to the end of the school year or as soon thereafter as is practicable by mutual agreement.

Step 1

The employee shall detail the alleged incident in writing on a form provided by the employer and submit it to the building principal. Should the complaint be beyond the authority of the principal to resolve, s/he shall refer the employee to the proper administrator.

The building principal shall reply to the complainant in writing within five (5) days.

If within two (2) days after receipt of the answer the complainant does not appeal to Step 2, it shall be deemed settled.

Step 2

The employee shall detail the alleged incident in writing on a form provided by the employer and submit it to the Superintendent of the Turkeyfoot Valley Area School District.

The Superintendent shall reply to the complainant in writing within five (5) days.

If within two (2) days after receipt of the answer the complainant does not appeal to Step 3, it shall be deemed settled.

Step 3

The employee shall detail the alleged incident in writing on a form provided by the employer and submit it to the Board of School Directors by directing it to the secretary of the Board of School Directors. The Board of School Directors shall reply to the complainant within twenty (20) days after receipt of the complaint.

In all instances, the complainant shall appear before the Board.

The decision of the Board shall be deemed final and the issue settled.

Special Covenants

1. In processing complaints, employees are to communicate directly with the appropriate administrator. Intermediaries are not to be used. With the permission of the administrator involved in the processing of the complaint, the employee may have another person of his/her choice present at any meeting at which the complaint is being discussed with the employee, except at any meeting of the Board where the complaint is being considered, in which case the employee, at his/her own option, may have present someone of his/her own choice who may advise the employee.
2. This procedure is not applicable to members of the management team for the processing of their complaints.

3. The employee who has lodged a complainant shall, during and notwithstanding the pendency of any complaint, continue to observe all assignments and applicable rules and regulations of the Board until such complaint and any effect thereof has been fully determined.
4. Meetings at which the employee's presence is required shall be arranged at a time and place so as to not interfere with the employee's regular duties.
5. Failure at any step of this procedure to communicate the decision on a complaint within the specified time limits shall permit the complainant to proceed to the next step. Failure at any step of this procedure to appeal a complaint to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that step.
6. Any matter for which a method of review is prescribed by law or any rule or regulation of the Secretary of Education or any matter which, according to law, is beyond the scope of the School Board authority shall be excluded from this complaint procedure.
7. A complaint by a probationary employee which arises by reason of his/her not being reemployed shall be excluded from this complaint procedure.

Adopted March 18, 2013

Revised: January 19, 2015