

GRIEVANCES

Introduction

The contract is only as good as its enforcement. Your rights may be protected through informal meetings and discussions; or through the more formal avenues of consultation, conciliation or the grievance procedure.

Grievance Procedures

Step 1 School Level (See Agreement Art. 22b1a)

Any UFT member has the contractual right to file a formal Step 1 grievance. The Step 1 Appeal should be processed through the Chapter Leader. **ALL STEP 1 GRIEVANCES ARE ENTERED ON LINE BY THE CHAPTER LEADER.** After the CL enters the Step 1 Appeal, 4 copies must be printed - one for the principal, one for the member, one for the CL's files and one for the District Representative. It is important that the Step 1 appeal be faxed to your DR at the Brooklyn UFT Office immediately after it has been submitted to the principal. The Brooklyn UFT fax # is (718) 852-9891. In the rare case, where the Chapter Leader experiences difficulty filing the Step 1 Appeal on line, a hard copy Step 1 grievance form can be submitted. Complete the Step 1 Grievance form, make 4 copies (see above) and fax a Step 1 Cover Sheet and the Step 1 Appeal Form to your District Representative at the Brooklyn Borough Office.

The principal has 5 days to hear the grievance and issue a decision.

If this time frame is not adhered to, the grievance can then be presented to the Brooklyn UFT Grievance Committee.

Step 2 Chancellor's Level (See Agree. Art 22B 1b)

Only the Union may appeal or initiate grievances at Step 2 and arbitration. Once the Step 1 decision has been issued, the Chapter Leader or member should fax the decision to their District Representative immediately. After a decision is issued, you have 15 school days to file a Step 2 appeal. The District will present the grievance to the Brooklyn Grievance committee. The Brooklyn Grievance committee will discuss the merits of the case and decide whether or not the grievance will be pursued to Step 2.

If the Grievance Committee says "YES" to Step 2, you will receive a letter from Debra Poulos, the Chairperson of the Brooklyn Grievance Committee. A Step 2 Appeal will be processed and sent to the Office of Labor Relations (OLR).

If the Grievance Committee says "NO" to Step 2, your District Representative will contact you to explain the committee's decision. You will also receive a letter from Debra Poulos, the Chairperson of the Brooklyn Grievance Committee. This letter will outline the appeal procedures if you choose to appeal the Brooklyn Grievance Committee's decision.

The Brooklyn Grievance Committee meets every Monday at 3pm.

Step 2 Hearings are held at the Office of Labor Relations (OLR) which is located at 51 Chambers Street NYC (Room 610). The Office of Labor Relations will schedule your grievance hearing and send out a Hearing Notice. The Brooklyn Borough Office will assign a grievance advocate to represent you at Step 2. The Chapter Leader also has the right to be present at the Step 2 hearing. Following the hearing, the Chancellor's Representative will issue a written decision. The decision is usually issued via e-mail to your DOE e-mail address.

Arbitration (See Agree. Art. 22C)

A grievance dispute which was not resolved at the Chancellor's Level (Step 2) under the grievance procedures may only proceed through the Union. At this level, the grievance is no longer handled through the Brooklyn Borough Office, it is referred to the UFT's Central Grievance Department.

Salary/Payroll Grievances

If you encounter problems with your payroll and are unsure of the explanation given to you at the school, consult with your Chapter Leader, complete a UFT Salary Inquiry Form and fax to (718) 852-9891.

GRIEVANCE PROCESS

REGULAR

STEP	TYPE	FILING DATE	FILE WITH	DECISION DUE
1	Most	30 school days from knowledge of act or condition grieved	Principal	5 school days after receipt of grievance
2	Most	15 school days from Step 1 decision is given to the grievant (Note: decision to proceed to Step 2 is made by the Union)	Chancellor	48 school days after receipt of appeal

REORGANIZATION

STEP	TYPE	FILING DATE	FILE WITH	DECISION DUE
1	Reorganization	2 school days from knowledge	Principal	2 school days after notification
2	*Reorganization	2 school days from Step 1 conference or when Step 1 conference should have been held	Superintendent	4 school days from conference

* The Union will file a Demand for Arbitration contemporaneously.

EXPEDITED CLASS SIZE

TYPE	FILING DATE	FILE WITH	DECISION DUE
Class Size	First 10 school days: Informal resolution period	School principal (in consultation with District Rep. and Supt.)	Informal resolution period
	12 th school day knowledge	Demand for arbitration	5 school days after arbitration hearing

SALARY

STEP	TYPE	FILING DATE	FILE WITH	DECISION DUE
	Salary and Leave	The Union may file within 3 months	Executive Director of Human Resources	48 school days after receipt of appeal

PER SESSION

STEP	TYPE	FILING DATE	FILE WITH	DECISION DUE
1	Retention, Selection or Reduction in per session	2 working days from knowledge	Head of activity	2 working days after receipt of complaint
1	Other school year per session grievances	30 days from knowledge	Head of activity	10 working days from receipt of complaint
1	Other Summer per session grievances	30 days from knowledge	Head of activity	5 working days from receipt of complaint
2	Retention, Selection or Reduction in per session	The Union may appeal within 5 working days after receipt of Step 1 decision	Chancellor	10 working days from receipt of complaint
2	All other per session grievances	The Union may appeal within 15 school days after Step 1 decision is given to the grievant	Chancellor	20 school days after receipt of appeal

CHAPTER 683

STEP	TYPE	FILING DATE	FILE WITH	DECISION DUE
*1	Non- per session summer assignment	No later than the 10 th working day from the posting of the final assignment sheet, or for assignments not on the final assignment sheet the 10 working day from knowledge	Superintendent	5 working days after receipt of appeal
2	Non-per session summer assignment	The Union may appeal within 5 working days after receipt of Step 1 decision	Chancellor	5 working days after receipt of appeal

* NOTE: PRIOR TO A FORMAL GRIEVANCE, THE EMPLOYEE SHALL ATTEMPT TO RESOLVE THE MATTER INFORMALLY.

CIRCULAR 6R APPEALS

TYPE	ACTION	FILE WITH	FURTHER APPEAL
Number of administrative activities	Chapter leader files through the Union as soon as violation is known	Chancellor who consults with Union President	Within 15 days after Chancellor's decision Union may appeal to NYC Office of Labor Relations
Activity assignment	The Union files an Appeal within 15 days	Chancellor who consults with Union	The Union may appeal the Chancellor's decision to the NYC Office of Labor Relations
Other Circular 6R violations	Regular Step grievance procedure	See Above	