

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 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 | |