



Enforcing Our Rights at Work through the **GRIEVANCE PROCEDURE** *A Primer for SDEA Representatives (ARs)*

The grievance procedure is one tool for enforcing the contract and protecting the rights of members. It's most effective at a worksite where members are well organized and strongly supportive of the union. At a worksite that is weak, administration can turn the grievance procedure against us by manipulating the process and dragging out resolutions. This causes members to lose faith in the union and see standing up for themselves and their rights as not worth the effort.

If we want to build members' commitment to standing up for themselves and each other, we can't afford to view the grievance procedure simply as a neutral, individual, legalistic process. We must incorporate the grievance procedure into a larger strategy of building union power at work. Each grievance filed should have increasing solidarity and building union power as goals.

→ If you're thinking of filing a grievance, and in order to increase solidarity and build union power, it's a good idea to have a union meeting first. The union meeting is an opportunity to educate members and build support, collect facts, decide as a group what would resolve the grievance, and recruit members to participate in the grievance meeting(s). You might also organize collective actions in support of the grievance, such as a petition or wearing union t-shirts.



→ Before you file a grievance, make sure that you've investigated. You and your team should be able to answer these questions so that you can discuss them at the grievance meeting(s):

- What specific contract section(s) was violated?
- How was it violated (i.e. what happened?)?
- What must happen in order for the grievance to be resolved?

When we stand up for our rights, we make our schools better places to teach and learn!

GRIEVANCE PROCEDURE

Step by Step

	What Happens?	Who's at the Grievance Meeting?	When?	Good Ideas	Bonus Union Building Tactics!
STEP 1	Informal discussion with supervisor	<ol style="list-style-type: none"> 1. AR 2. Member(s) 3. Supervisor 	Within 15 workdays of the date the grievant learned of or should have reasonably known of the violation	AR can consult with an SDEA Contract Specialist before and/or after the Step 1 grievance meeting	+ Hold the grievance meeting on your turf rather than the principal's office
STEP 2	Formal Step 2 Grievance Form filed with supervisor; formal grievance meeting to follow	<ol style="list-style-type: none"> 1. AR 2. Member(s) 3. Supervisor 4. SDEA staff organizer (optional) 	Grievance Form must be filed within 15 workdays of the date the grievant learned of or should have reasonably known of the violation; Step 2 meeting within 10 workdays of filing; if not resolved in meeting, supervisor has 10 workdays to respond in writing	AR and SDEA Organizer should work together to write a Grievance Form, hold a Step 2 grievance meeting and, if the grievance isn't resolved, file to move the grievance forward to Step 3	+ If it's a group grievance, bring a representative delegation of members to the grievance meeting + Wear union t-shirts on the day of the grievance meeting
STEP 3	Formal Step 3 Grievance Form filed with Labor Relations; formal grievance meeting to follow	<ol style="list-style-type: none"> 1. Member(s) 2. SDEA staff organizer 3. SDUSD Labor Relations representative 4. AR (optional) 	Grievance Form must be filed within 10 workdays of the date the union received the supervisor's written Step 2 response; Step 3 meeting to follow	AR and SDEA Organizer should work together to file Grievance Form, hold a Step 3 grievance meeting	+ If it's a group grievance, treat the Grievance Form like a petition, with all union members signing on
STEP 4	If the grievance is not resolved in the written Step 3 response from the SDUSD Labor Relations representative, the grievance may be arbitrated before a neutral third-party. The arbitrator hears both the union's side and the District's side and makes a ruling that is binding. That's powerful! Union members on the SDEA Board of Directors may vote on whether to arbitrate the grievance. Most grievances are resolved at the lower steps of the grievance procedure, not through arbitration.				

THE POWER IS IN OUR HANDS!

The principal or District administrator doesn't get to decide if a grievance is resolved. Only the union gets to decide that! If the AR and grievant(s) feel that the grievance hasn't been adequately resolved, we can move the grievance forward through the grievance procedure.

It's the responsibility of the union (i.e. the AR, member(s), and SDEA staff organizer) — not the supervisor — to take action to move a grievance forward to the next step.