

## **STAFF CONCERNS, COMPLAINTS, AND GRIEVANCES**

**FILE: GBK**

**TITLE: Complaints Relating to Employees**

**POLICY:**

The School Board of Orange County, Florida ("Board") invites constructive criticism from parents/legal guardians and citizens of the district.

- (1) Any complaint alleging misconduct of an employee of the Board shall be initially referred to and investigated by the employee's immediate supervisor. If the allegation involved serious charges, the complaint shall be in writing and shall bear the signature of the person making the complaint.
- (2) If, upon initial investigation, there is cause to believe that the employee may be guilty of misconduct that could result in suspension or dismissal, the investigative file shall be forwarded to Employee Relations in HR & Executive Services.
- (3) The complaint and any investigative materials related thereto shall be excluded from public disclosure until the investigation is complete or ceases to be active as provided by Section 119.07, Florida Statutes.
- (4) Where disciplinary action by the Board is recommended, the Superintendent or designee shall report the results of the investigation to the Board along with appropriate recommendations for consideration and action.
- (5) The principal shall inform parents/legal guardians that student-teacher/legal guardian problems shall first be submitted to the teacher if the problem does not involve a serious charge as specified in subsections (1) and (2) herein. Such problems may then be submitted successively to the following: principal, Superintendent, and Board.

**SPECIFIC AUTHORITY:** Sections 1001.41; 1001.54; 1012.22; 1012.23; 1012.27; 1012.28; 1012.31, Florida Statutes

**TITLE: Grievance Procedures for Bargaining Unit Employees**

**POLICY:**

The Contract Agreement between The School Board of Orange County, Florida ("Board") and the Orange County Classroom Teachers Association ("CTA") and the Contract Agreement between The School Board of Orange County, Florida ("Board") and the Orange Educational Support Professionals Association ("OESPA") shall address grievance procedures for employees who believe a provision of their contractual agreement has been violated.

**SPECIFIC AUTHORITY:** Sections 1012.22; 1012.27, Florida Statutes

**TITLE: Grievance and Complaint Procedures for Non-bargaining Unit Employees**

**POLICY:**

The provisions of this policy shall apply to all disputes with respect to interpretation or application of these rules and shall not apply to disputes between the Board and an employee

or a group of employees involving terms and conditions of a collective bargaining agreement. No grievance shall be filed by an employee under this rule if the same grievance has been filed by the employee under the grievance provisions of a collective bargaining agreement.

- (1) Whenever employees feel that they have a grievance, every effort shall be made to arrive at a satisfactory solution to the problem on an informal basis. However, where informal proceedings do not result in a solution, resort shall be made to the more formal procedures provided herein in an effort to resolve the grievance. The grievance procedure shall be as follows.
  - (a) Step One. Employees shall inform their immediate administrative supervisor in writing of the grievance and shall send a copy thereof to the Superintendent or designee. This written notification of grievance shall take place within twenty (20) workdays of the incident leading to the alleged grievance or within twenty (20) workdays of when the grievant knew or should have known of the event which gave rise to the grievance. The grievant shall name the employee(s) involved, state the facts giving rise to the grievance, identify all provisions of these rules alleged to be violated by the appropriate reference, state the contention of the grievant with respect to these provisions, and indicate the relief requested. The administrative supervisor upon receipt of the written grievance shall arrange a conference with the employee within five (5) workdays following the date of the grievance. Within five (5) workdays following the date of the conference, the administrative supervisor shall inform the employee in writing of the disposition of the grievance and shall furnish a copy thereof to the grievant.
  - (b) Step Two. If the grievant, within five (5) workdays from receipt of the disposition, is not satisfied with the disposition of the grievance or if no disposition has been made within ten (10) workdays of such meeting, the employee shall within five (5) workdays submit the grievance in writing to the Superintendent or designee. The grievance shall contain all information identified in Step One. Within ten (10) workdays of receipt of the grievance, the Superintendent or designee shall investigate the grievance, meet with the grievant in an effort to resolve the grievance, indicate the disposition of the grievance in writing, and furnish a copy thereof to the grievant. The decision of the Superintendent shall be final and binding on all parties.
- (2) No disposition of the grievance at any step of this procedure or any provision of this policy precludes the employee from seeking redress of the alleged wrong by taking legal action.
- (3) The time limits provided in these procedures may be extended by mutual agreement of both parties.
- (4) When grievance conferences and meetings are held during work hours, the grievant shall suffer no loss of pay.

- (5) All documents, communications, and records dealing with the processing of a grievance will be filed in the personnel files of the grievant.

**SPECIFIC AUTHORITY:** Sections 447.301; 447.401; 1012.22; 1012.23; 1012.27, Florida Statutes

ADOPTED: 10/12/93  
REVISED: 10/11/16