

# STAFF COMPLAINTS AND GRIEVANCES

(*Fair Treatment Procedure*)

It is the policy of the Lee's Summit School District R-7 to provide all employees with a formal method by which they can voice their complaints when they feel they have been treated unfairly and their disputes cannot be resolved to their satisfaction through normal problem-solving channels. Employees are encouraged to resolve informal complaints with the appropriate member of management. Every effort shall be made to resolve an informal complaint within 48 working hours. Complaints regarding performance evaluations shall be handled pursuant to policies regarding evaluation of professional staff.

Complaints will be handled according to the procedure outlines below:

## A. Step One

1. Employee - An employee who has a formal complaint should make every effort to discuss the problem verbally with his/her building principal/supervisor. Initial contact should be made within a reasonable period from the time the incident occurs, not to exceed ten (10) working days.
2. Building Principal/Supervisor - It is the responsibility of the building principal/supervisor to act on the problem and respond verbally to the employee promptly after receipt of the complaint.

## B. Step Two

1. Employee - If the complaint is not addressed or discussed to the employee's satisfaction within five (5) working days after Step One, the employee may present the complaint in writing by completing a *Fair Treatment* form and presenting the written complaint to his/her district administrator/division head. The district administrator/division head shall retain one (1) copy of the form and shall give one (1) copy each to the Human Resources Department and the employee.
2. District Administrator/Division Head - It is the responsibility of the district administrator/division head to act on the problem and to respond to the employee in writing after receipt of the written complaint.

## C. Step Three

1. Employee - If the complaint has not been resolved to the employee's satisfaction within five (5) working days after Step Two, he/she may present the written complaint to the superintendent. Complaints involving assignments, placements on any salary scale, promotions, demotions, transfers and terminations shall be heard by the superintendent. All other complaints that reach this step, including disciplinary action, shall be referred to a Fair Treatment Committee.
2. Superintendent - The superintendent shall investigate the complaint and render a decision in writing regarding the original complaint or hearing.

3. Fair Treatment Committee (FTC) - The FTC (the “committee”) shall hear all other complaints not reviewed by the superintendent. If the employee has complaints regarding other disciplinary warnings that form the basis of a probation that the employee desires to question, then such probation shall be held in abeyance until ruled on by the FTC. The committee shall consist of five (5) members with one (1) vote each. The committee shall include the following members:

- Superintendent or his/her designee
- Human Resources Director
- One (1) building administrator or district-level supervisor with over two (2) years of service as a building administrator or district-level supervisor chosen by the employee filing the complaint
- Two (2) district employees with over one (1) year of service chosen by the employee filing the complaint

An employee’s relative shall not be permitted to serve on a Fair Treatment Committee.

In addition to choosing three (3) out of five (5) members of the Fair Treatment Committee, the employee may present his/her complaint or be represented by a fellow employee. The superintendent or his/her designee shall be responsible for contacting all members of the Fair Treatment Committee to arrange meeting times and places.

Decisions of the Fair Treatment Committee shall be made by a majority vote. The committee’s function is limited to deciding whether the facts support the disciplinary action or policy application in question. The committee must follow district policies, rules and regulations. If a disciplinary action was not supported by the facts, it shall direct that the decision be re-evaluated and a new disciplinary determination be made by the administrator. Decisions of the Fair Treatment Committee shall be made in writing. It is the intention of this policy that proceedings of Step Three be conducted in an informal, non-legalistic and expeditious fashion. The Fair Treatment Committee or superintendent shall have access to all materials in the aggrieved employee’s personnel file and may give such weight to prior warnings, evaluations, comments or commendations as the committee or superintendent deems appropriate.

#### D. Step Four

1. Employee - If an employee complaint involving termination has not been resolved to his/her satisfaction within ten (10) working days after Step Three, the employee may present the written complaint to the Board of Education.
  
2. Board of Education - The Board of Education shall address the appeal at the Board meeting following the receipt of the written request and shall render its decision in writing. The decision of the Board of Education is final. Every employee is encouraged to use these steps. No employee shall be subject to reprimand or harassment by anyone as a result of initiating a formal or informal complaint, assisting a fellow employee, providing testimony or serving on the district's Fair Treatment Committee. The provisions of this policy providing for referral to the Board of Education shall not apply to any personnel action for which the employee may have a right to a hearing before the Board of Education as provided by law.