

E-3g(3) PROCEDURE Grievance Procedure

Section 3 - Existence of Applicable Collective Bargaining Agreement

This grievance procedure shall not apply to the grievance of any employee who is subject to the terms of a collective bargaining agreement, if the agreement includes a grievance procedure.

Section 4 - General Provisions and Procedures

- A. Time Limits: to be valid, grievance must be filed within ten (10) days after the occurrence of the act or omission giving rise to the alleged grievance; provided, however, if the grievant could not have reasonably gained knowledge of the occurrence of such act or omission within said ten (10) day period, the grievance shall be raised within ten (10) days from the date the grievant could have reasonably gained knowledge thereof; but, in no event, more than twenty (20) days from the occurrence giving rise to the grievance. The time period may be extended by mutual agreement of the parties. The time limits provided for shall be strictly construed; and the failure of any moving party to meet the time limits listed relative to resubmission of the grievance shall constitute an unconditional acceptance of the remedy promulgated at the last step, or shall constitute a withdrawal of the grievance, whichever is appropriate. However, either party may, for good cause, and before expiration of the time limit has occurred, request a waiver of the time limit. Such a request shall not be unreasonably denied.
- B. A grievance may be withdrawn at any level.
- C. At any step in the grievance procedure through Section 6 Step 4, either party may request a meeting. Such request for a meeting shall not be unreasonably denied.
- D. At each step of the grievance procedure, the grievant must clearly state or provide the College policy that is alleged to have been violated or inequitably applied.
- E. Nothing herein contained shall be construed as limiting the right of any employee having a grievance to discuss the matter informally with any member of the administration.
- F. At any step of the grievance procedure, either party may have up to three (3) representatives of their choice present who are present as observers and may serve as consultants to the grievant.