

VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND

Title: Grievance Procedure Policy	Policy Number: HR011
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POLICY

The Virginia School for the Deaf and the Blind (VSDB) shall provide employees with appropriate avenues to resolve concerns, conflicts and allegations of unfair treatment and shall resolve all complaints arising in the workplace fairly and promptly. The VSDB shall comply with all policies and procedures of the Department of Human Resource Management (DHRM) Policies and Procedures Manual and the Office of Employment Dispute Resolution (EDR) Grievance Procedure Manual. The additional procedures are unique to the school organizational structure and supplement the DHRM and EDR policies and procedures.

Virginia Department of Human Resources Management, Policy and Procedures Manual:

- Policy 1.60, Standards of Conduct
- Policy 1.80, Workplace Violence
- Policy 2.05, Equal Employment Opportunity
- Policy 2.30, Workplace Harassment

Office of Employment Dispute Resolution Grievance Procedure Manual
Virginia School for the Deaf and the Blind Policy Manual

- Policy HR003, Equal Employment Opportunity
- Policy HR004, Standards of Conduct

PROCEDURES

The grievance procedure is available to all non-probationary classified staff and faculty. The VSDB seeks to resolve differences informally at the employee-supervisor level through constructive communication and/or mediation. If necessary, upper levels of management shall address issues to facilitate compromise and resolution.

Management Resolution Steps

Employees are encouraged to take issues and concerns to their direct supervisor informally for resolution; however, the employee may file a grievance/complaint pursuant to the Department of Employment Dispute Resolution (EDR) Grievance Procedure Manual. See

<http://www.dhrm.virginia.gov/docs/default-source/edrdocuments/grievanceproceduremanual---september-2015.pdf?sfvrsn=4>

If the EDR grievance procedure is used, the appropriate resolution steps are provided below:

- First Resolution Step – Immediate supervisor of the employee.
- Second Resolution Step – Department Head of the employee.
- Third Resolution Step – Superintendent of the VSDB

If the Department Head is the immediate supervisor of the employee, the grievance may be initiated at the Second Resolution Step. If the Superintendent is the immediate supervisor of the employee, the grievance may be initiated at the Third Resolution Step.

Qualification for a Hearing

If the grievance cannot be resolved within the three management resolution steps, the employee may request qualification of the grievance for a hearing. Not all grievances proceed to a hearing. In order to determine if the grievance is qualified for a hearing, the employee may submit the form to the Superintendent of VSDB for a decision. If the Superintendent does not qualify the grievance for a hearing, the employee may appeal to the EDR.

If the employee appeals to the EDR, the employee must submit his/her grievance form to the Director of Human Resources within five workdays of receiving the agency head's qualification decision. Within five workdays of receipt of the appeal request, the Director of Human Resources must forward a copy of the grievance record, complete with all attachments, to EDR. The EDR's qualification ruling is final.

Hearing

Most qualified grievances proceed to a hearing before a hearing officer appointed by EDR. A hearing officer's decision is subject to administrative review by both EDR and DHRM Director based on the request of a party. Once the administrative review phase has concluded, the hearing decision becomes final and is subject to judicial review.

Office of Human Resources Responsibilities

- The Director of Human Resources shall serve as an advocate for problem resolution between employees and management and as facilitator of the grievance procedure.
- The Director of Human Resources shall ensure that each classified and faculty employee receives a copy of the Grievance Procedure Manual during orientation training.
- The Director of Human Resources shall serve as the advisor to the Superintendent during the grievance process.
- The Director of Human Resources shall inform employees of procedural matters about the grievance process; however, employees are encouraged to contact EDR for advice regarding their grievance.

Manager/Supervisor Responsibilities

- Managers and supervisors shall work to resolve employee concerns and complaints at the lowest level possible.
- In the event a grievance is initiated, the supervisor shall thoroughly and promptly investigate the issues before responding to the employee.

The Director of Human Resources is responsible for interpretation of this policy. Questions regarding the application of this policy should be directed to the VSDB Office of Human Resources.

Rescission: Effective Date: November 1, 2009; Revised: June 30, 2016 BOV Approved: December 14, 2016
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