

# Know Your Rights

## **What is a Grievance? How do I file a Grievance?**

## **What are the consequences of filing a Grievance?**

**What is a Grievance?** It is an internal procedure by which you can seek redress for violations by the District of one or more explicit provisions of the Collective Bargaining Agreement:

“A grievance is defined as a claim that the District has violated an *express* term of this Agreement and that by reason of such violation the grievant’s rights under this Agreement have been adversely affected.” Article V, Section 1.0 [emphasis added].

**Timeline:** For most cases the time limit for filing a grievance is fifteen (15) school days “after the grievant or UTLA knew or reasonably should have known of the occurrence of the facts upon which the grievance is based.” Article V, Section 8.0.

**Informal Conferences:** Before filing a grievance (if there is sufficient time) you and/or your chapter chair should make a reasonable attempt to resolve the problem through an informal conference with your administration. Regardless of the status of this conference, a grievance must be filed within the time limit. Article V, Section 7.0a.

**Filing the Grievance:** With the assistance of your Chapter Chair, complete the UTLA Grievance Information Form and fax it to your Area Representative, who will then initiate the grievance process on your behalf. This form is essential so that your representative has all of the relevant facts in your case.

**Confidentiality Clause:** Do not discuss the matter with anyone without express approval from your UTLA Area Representative because any breach of confidentiality may result in an *automatic dismissal* of your grievance. Article V, Sections 4.0-4.1.

**Grievance Process:** Informal meetings are held with appropriate District personnel in order to exchange information and attempt to reach a mutually acceptable result. Ultimately, UTLA may choose to take the matter to binding arbitration.

**No Reprisals:** The District and its administrators are expressly forbidden to take reprisals against you for filing a grievance or assisting a colleague with a grievance. Article V, Section 22.0.

**Limitations of Grievances:** A Grievance is not: a lawsuit, a means of punishing or disciplining an administrator, a forum for non-Contractual issues, nor a method to resolve disputes with colleagues, aides, parents, students, etc.