

Grievance Procedure

In New Hampshire a grievance procedure is a mandatory provision in every contract. However, the content, process and scope of each procedure vary widely. The following are some suggestions for a solid grievance provision:

- Avoid limiting the scope of grievances to certain provisions of the contract. Common limitations/exclusions include probationary employee rights, incorporation of policy or past practice.
- Many grievance articles provide for automatic appeal to the next level if management misses a deadline but penalizes the grievant for the same infraction. Procedural matters should be addressed by an arbitrator.
- Maintain a reasonable number of steps and timelines for each. 10 school days between levels is a good length of time and 30 school days is great for the length of time to initiate a grievance from the time you're aware of a violation.
- Grievances should culminate with binding arbitration with expenses shared at 50%.
- Group or class action grievances should be accommodated by filing at the central administration level.
- It is good to reaffirm a member's right to representation during the processing of grievance and the right of the association as well.
- Never exempt contract provisions from the grievance process.
- Always insist that grievance arbitration awards are binding between the parties.