

# Grievance Process

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**PEF contract has 4 Articles that include a  
grievance process**

**17, 18, 33**

**&**

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**Article 34**

- Article 34.1(a) "A contract grievance is a dispute concerning the interpretation, application or claimed violation of a specific term or provision of this agreement. A contract grievance also encompasses any benefit or privilege by law, rule or regulation..."
- Article 34.1(b) "A Non-Contract grievance is defined as "Any other dispute or grievance concerning a term or condition of employment which may arise between the parties or which may arise out of an action within the scope of authority of a department or agency head and is not covered by the Agreement..." \* can only be appealed up to and including Step 3

## Grievances

The Step 1 grievance **MUST** be submitted to the designated management representative within *30 calendar days of the* date the act or omission giving rise to the grievance occurred

STATE/PEF GRIEVANCE FORM  
PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES UNIT

(All grievances, decisions and appeals must be served personally or by certified mail, return receipt requested.)

TO BE COMPLETED BY GRIEVANT OR REPRESENTATIVE:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Department or Agency: \_\_\_\_\_

Work Location: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Type of Grievance:

Contract Grievance  
Provision of State/PEF Agreement  
Alleged to have been violated: Article      Subsection

Non-Contract Grievance  
(May be appealed only  
through Step Three)

STEP 1

(Step 1 grievance must be submitted not more than thirty (30) calendar days after the date  
the act or omission giving rise to the grievance occurred.)

Date of Occurrence: \_\_\_\_\_

Statement of Facts: (Use additional sheets if required); \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Remedy Sought:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Submitted: \_\_\_\_\_ Aggrieved Employee: \_\_\_\_\_  
PEF Field Rep

CHECK TO MAKE SURE ALL REQUIRED INFORMATION HAS BEEN PROVIDED AND GIVE THIS FORM TO  
YOUR FACILITY OR INSTITUTION HEAD OR DESIGNEE.

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1st Step Decision

Date Grievance Received: \_\_\_\_\_

# Filling out grievance form

## Grievant Information

- Fill in top of grievance
- Short description of what happen or failed to happen
- Facts can not be added after filing

## Identify Contract Articles

- Use the contract and as many Articles as possible
- Articles can always be removed later or
- Amended up to Step 2

## Article 45 Benefits Guarantee

- Identify law, rule or regulation be specific  
i.e. FMLA/Civil Service/ADA



# Remedy Sought

**Make whole including, but not limited to..."**

Using the above phrasing makes it easier to add to the remedy later if needed

Add any specific request and/or outcome you are seeking from the grievance

- Attach any documents that were directly involved in causing or related to the grievance
  - i.e. Counseling Memo, Emails, Timesheet

**Supporting documentation**



# Submitting the Grievance

Step 1 grievances **MUST** be served personally and date stamped by designated representative.

or sent by certified mail, return receipt requested

# STEP 1 Meetings

Should be held on the local level  
and decision issued within 20  
working days

Meeting generally includes the  
steward, member and can included  
PEF Field Rep as needed.

*Step 1 denials MUST be forward to your PEF Field Rep as soon as they are received. There are only 10 working days to file an appeal to Step 2.*

*Field Reps are generally involved from this point forward but can work with you or file Step 1 as needed.*

## Step 2 Appeals must be sent Certified Mail/Return Receipt Requested

\*Grievance form should be signed and a short reason for appeal in section mark STEP 2-APPEAL

- Step 2 meeting and decision issued within 20 working days from the date the grievance is received by the agency.

\*Generally, this meeting involves the member, steward and Field Rep with an individual from the agency's Labor Relations. Management may include individuals relevant to the grievance and ask them to represent agency's position.

# STEP 2 Appeal & Meeting

# Denied at Step 2

## CONTRACT ADMINISTRATION

- Must Review ALL grievances denied at Step 2 for appeal to Step 3.
- Field Rep submits all information
- CA makes a recommendation  
\*\*\*\*Amending a grievance

## RECOMMENDATIONS

- To Move to Step 3
- Do NOT move to Step 3  
\*Member has right to internal PEF appeal
- Appeal to preserve timeliness

## APPEALS to STEP 3

- Must be submitted to the GOER within 30 working days
- Included statement for appeal and any new evidence to challenge Step 2 decision
- ALL paperwork including Step 1 & Step 2 decisions

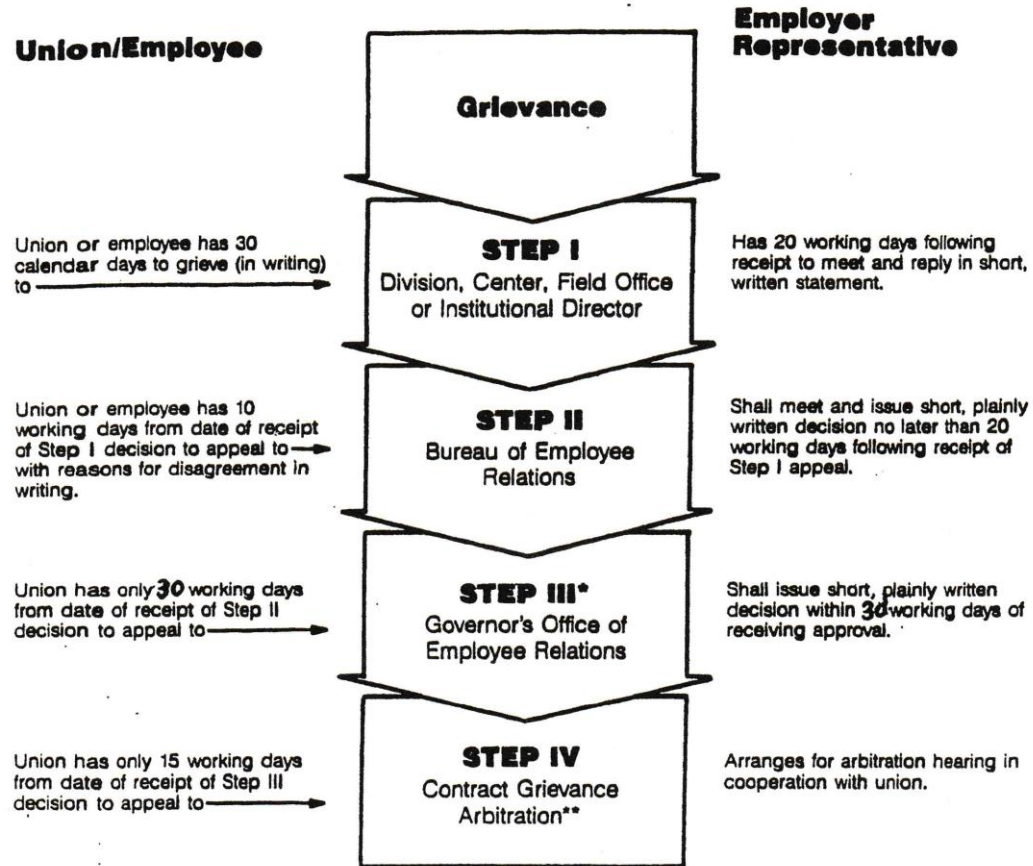
# Step 4 - Arbitration

- Step 3 decision is issued by GOER
  - \*Non-Contract grievances stop here
- Contract Administration Decision to move to Step 4/Arbitration
- Field Rep will submit appeal within 15 working days
- Triage – certain grievances may be candidate for side meeting between PEF/GOER where possible resolution is discussed outside the arbitration process

# Contract Grievance Procedure

## Article 34

Before initiating a formal written grievance, the employee or the union is encouraged to resolve disputes informally with the appropriate immediate supervisor or management representative



Arbitration Decision is binding on both parties

\* Non-Contract Grievances cannot be appealed to arbitration and reach finality at Step III

# ARTICLE 17

## Out of Title

- Paid only 15 days prior to date filed
- Filed at Step 2
- Step 3 appeals 10 working days
- Step 3 1/2 new facts or disputed facts
  - Within 30 calendar days





Other

CONTRACT

GRIEVANCES

## ARTICLE 18 – Health & Safety

- Is LM / PESH / or Health & Safety COM  
*Faster option*

## ARTICLE 33 – Disciplinary

- Within 14 days of service (Field Rep)

Honorable Mention

Performance Evaluation Appeals

- 15 days to appeal

