

Dispute Resolution

The District wishes to resolve disputes in a manner that results in a positive outcome for all parties involved.

1. Definition of Dispute

Subject to the exclusions listed below, a dispute is any disagreement between the District and an employee pertaining to the application of the District's personnel policies or an allegation by an employee that the District has failed to provide a condition of employment established by the District. The term dispute, as used herein, shall **exclude** the following:

- a. Disciplinary action.
- b. Privacy violations.
- c. Complaints for which the District provides an alternate dispute resolution process.
- d. Any impasse or dispute in collective bargaining negotiations.
- e. Any matter within the scope of representation for employees in a recognized bargaining unit.
- f. Any matter which may be or has been grieved under an applicable collective bargaining agreement.
- g. Termination of a probationary employee.
- h. Termination of an at-will employee.

2. Prohibition of Retaliation

The District shall not restrain, coerce, retaliate, interfere with, or discriminate against any employee based on the employee's availing him/herself of the District's dispute resolution process.

3. Time Limits

- a. As essential components to a successful dispute resolution process, the time limits set forth herein shall be strictly observed. The time limits may be extended by written agreement, signed by the employee and the District.
- b. If, at any stage of the dispute resolution process, the employee is dissatisfied with the decision rendered, the employee shall be responsible for submitting the dispute to the next designated level within the delineated time limits. If the employee fails to submit the dispute to the next designated level within the time limits imposed, the dispute resolution process shall be considered terminated, the dispute shall be considered settled on the basis of the last decision, and the dispute shall not qualify for further appeal or reconsideration.
- c. If the appropriate administrator or manager/supervisor fails to respond within the time limits specified, the employee has the right to proceed to the next step within the prescribed time limits. Any such failure by an administrator manager/supervisor shall not constitute an admission of the validity of the dispute.