

GRIEVANCE

I. Purpose

The purpose of this policy is to secure, at the lowest possible administrative level, equitable solutions to the problems which may arise from time to time. Proceedings under the procedure will be kept as informal and confidential as may be appropriate at any level of the procedure.

II. General Statement of Policy

- A. The policy of the College is to allow the employee the right to file a grievance. Nothing contained herein will be construed as limiting the right of any employee having a grievance to discuss the matter informally with any appropriate member of the administration or with the employee's appropriate supervisor and to have the grievance adjusted, provided the adjustment is consistent with the terms and conditions of the Leadership Work Agreement, Professional Staff Work Agreement, Classified Work Agreement, or the Faculty Work Agreement.
- B. It shall be a violation of this policy to not allow or follow all the procedural steps in the grievance process.

III. Definitions

- A. Grievance means a complaint by an employee or group of employees, covered by any Western Dakota Tech (WDT) work agreement (hereinafter referred to as "Agreements,") alleging that there has been a violation, misinterpretation, or inequitable application of any of the terms and conditions of these Agreements or of the policies and regulations adopted by WDT's governing personnel practices or conditions relating to the employees covered by these Agreements, which complaint has not been resolved satisfactorily in an informal manner between the employee and the employee's supervisor, except that the term "grievance" shall not apply to any matter as to which: (1) the method of review is prescribed by law; (2) the local governing Board is without authority to act; or (3) termination of employment in accordance with the provisions of SDCL 13-39A-39.
- B. Aggrieved person or the aggrieved means an employee or group of employees asserting a grievance.

- C. A party-in-interest means a person who might be required to take action or against whom action might be taken in order to resolve a grievance.

IV. Reporting Procedures

- A. Employees are encouraged to report any grievance within 15 days after the aggrieved knew or should have known of the act or conditions on which the grievance is based.

V. Dissemination of Policy and Training

- A. This policy shall appear on the WDT website on the policy webpage.

Legal References: SDCL 13-39A-39

Board Approved 1/21/2020