

GRIEVANCE PROCEDURE
(Without Extensions of Time)

Level One: Chief Administrator - County Superintendent/Designee

- Grievant requests conference or hearing, in writing, within 15 working days of grievance event, knowledge, or most recent occurrence and sends copy to the Grievance Board
- Notice of conference or hearing at least 5 working days before appointed date
- Conference is held within 10 working days of receipt of the request
- Hearing is held within 15 working days of receipt of the request
- Conference or hearing is conducted by Superintendent or Designee
- Findings of Fact and Conclusions of Law may be submitted in advance of decision
- Superintendent's written decision within 15 working days after conference or hearing

Level Two: Alternative Dispute Resolution

- Grievant files a request with the Grievance Board at Level Two, in writing, within 10 working days after receiving Level One written decision
- Choices of mediation by an Administrative Law Judge (ALJ), private mediation, or private arbitration; but all parties must agree to private mediation or arbitration
- Scheduled and held within 20 working days of request for same
- Report of mediation documented in writing within 15 days; arbitrator shall submit a decision setting forth findings of fact and conclusions of law within thirty days

Level Three: Administrative Law Judge

- Grievant files within 10 working days after receipt of the Level Two report **OR**
- For 18A-2-8 cases, Grievant files within 5 days **OR**
- Grievant files within 15 working days of discharge, suspension without pay, demotion, reclassification resulting in loss of compensation or benefits, or upon agreement of the parties.
- Formal hearing, on the record, is held within a reasonable time after the Level Three grievance is filed
- ALJ issues a written decision within 30 working days after the hearing or after receipt of proposed finding of fact and conclusions of law

Kanawha County Circuit Court

- Either party files within 30 days after receiving the Level Three decision
- The Court hears no new evidence, but rather reviews the existing record only

Supreme Court Of Appeals

- Either party may petition for an appeal within 4 months after the Circuit Court's final order is entered