

Grievance 101

Diane Gunther

As my son and I were running errands around town, we stopped at a 4-way stop sign. To our left, a guy pulled up after us, did a quick rolling stop, then gunned through the intersection ahead of us. My flabbergasted son yelled, "He can't do that! How can he *do that?*" Well, he *could* do that. He just had and probably *will continue* to do so—until he's caught and held accountable. Kind of reminds me of the basic grievance situation wherein representatives of the District violate the Master Agreement (our Contract) and a stunned faculty wonders *How can they do that!* They do it because (among other reasons) they can. However, the grievance process can stop such violations and hold the District accountable.

It's important that new as well as veteran faculty understand that, in essence, the legal role of CCA-LBCC is two-fold: 1) negotiate the contract and 2) ensure that our negotiated agreements are upheld. The deals we strike during negotiation are only as good as their rightful application. Our livelihoods, our benefits, our working conditions, the rules of the road if you will, are spelled out in the contract. Faculty members need to do more than become righteously indignant when we've been subjected to contract violations-- for our own security as well as for the protection of colleagues down the road.

Recent grievances have addressed issues ranging from sick leave computation to load banking, class cancellations, faculty scheduling, probationary faculty evaluation, department head elections, secretarial support, working conditions, pay scale placement discrepancies, compensation for work performed and association rights. Faculty members have been vigilant. Your Grievance Advisory Committee has been responsive, and the majority of grievants have been satisfied by the outcomes of their cases.

The Grievance Advisory Committee hopes the following generic directions will provide a road map of sorts to help all faculty members navigate the grievance process:

- * Take out your contract or if you can't find it, request a copy through the office of Human Resources. It can also be viewed online at: <http://www.lbcc.edu/HumanResources/contracts.cfm#cca> Thumb through the index to see what areas of our working life are covered by the contract. (It's a good idea to do this ahead of time, so you can recognize "trouble" when you run into it.)
- * While you're at it, scan Grievance Article V. to understand that definite steps and timelines need to be precisely followed. Especially note the 20-day time frame that activates once the grievant becomes *aware* of the violation during which the grievance process must be initiated.
- * At some time in the future, if you think something is "off" as per "the job" and you, refer to the contract to see if you can locate the section that addresses your issue and try to pinpoint the violation. If you can—good. If you can't—that's ok, too.
- * The very next thing to do, and do as soon as possible, is contact the CCA-LBCC Grievance Chair (or a member of the Grievance Advisory Committee) by e-mail or voicemail, preferably both. Give a brief rundown of your situation or if you prefer to communicate from off campus, leave numbers and times you can be reached to help us get back to you.
- * You'll be contacted promptly, at which time your full story will be heard. You may be asked to write a brief narrative overview to help the Grievance officer and/or Advisory Committee in reviewing your situation. If possible, we'll tie your issue to the specific contract violation(s), help you schedule the informal conference to resolve your issue with the first line administrator and attend this meeting with you. If you are not satisfied at the informal level, we will steer your grievance through the formal levels and timelines.
- * If your situation is one that requires a legal consult, we will help you get this through the CCA Regional Office.

* Remember: not all issues that affect faculty are grievable. Grievances can only be filed regarding violations of specific contract language. However, each situation is unique and we will do all we can to answer your needs. Sometimes problems that aren't thought to be grievable can be resolved when reasonable representatives of the faculty and administration sit down and work toward resolutions. We can help facilitate this also.

Be alert, be defensive and whatever you do, don't yield your rights by failing to grieve if the district runs over them.

Your current Grievance Chair: Diane Gunther (chair) x4201 and dgunther@lbcc.edu