

# AR Mini-Session

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Session Title: **Gripe or Grievance, That Is the Question**

Time: 15 minutes

Materials/Equipment Needed: newsprint, markers

Handouts: Scenarios



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## Script

Say → Today we want to discern the difference between a gripe and a grievance. To decide, we must first define what each is.

A **grievance** is a formal, written complaint by an employee or group of employees that a final administrative decision violates, misapplies, or misinterprets a specified federal law, state law, state board of education policy, state rule, local board of education policy, or administrative regulation or procedure, or an employee has been subject to an unsafe working condition. A **gripe** is defined by the person doing the griping

## Activity 1

Say → Problems are inevitable in the workplace - the question is what you do to resolve the problem.

**[Brainstorm with the group. Ask, “What can we do to resolve this issue? Who do we talk to? Write the responses on the newsprint. Take a minute or two.]**

**A list could include:**

- **the Association Representative**
- **the Association President**
- **the UniServ Director**
- **the community**
- **the administration or school board**

Say → Given our definitions and our list of resources, let’s take a look at some scenarios and determine if each is a gripe or a grievance. To determine if a complaint is, in fact, a grievance, or a problem that would better be resolved through another channel, ask, “Did the action violate a specific local policy/regulation or state law? Could the problem be resolved through a less formal action as opposed to filing a written grievance?”

## Activity 2

**[Hand out the scenarios. Divide the participants into groups of 3 and assign one scenario to each group. Have each group discuss their scenario, decide if it is a gripe or a grievance, and ways to resolve the issue. Then have each group report out to the room if time allows.]**

Scenario #1: A principal suspends a student for one day for cursing at the teacher. The teacher is upset because she thinks the student should have been suspended for at least three to five days.

**Answer: First check school or district policy to see what the principal can do. It may say, “The principal may suspend for up to three days.” Assuming that is what the policy says, advise the teacher that the principal’s ability to discipline is restricted to three days by policy and suggest the teacher discuss with the principal her displeasure, and ask that the student be given the maximum suspension allowed. This may not be possible if action has already been taken to suspend. Another approach would be for you as AR and the teacher to take a proposal for Progressive Discipline to the principal or the SIT. Make sure you listen and attempt to help. The UniServ Director is really not needed other than maybe as a consultant.**

Scenario #2: A teacher is observed for 10 minutes by the principal. An observation form is put in his mailbox the next week with a note asking him to sign it and put it back in the principal’s mailbox. The observation was favorable. What should he do? What if the observation was not favorable? Would that make a difference?

**Answer: A teacher must sign an evaluation to acknowledge that they have seen it. Failure to do so may be considered insubordination, which could result in disciplinary action up to and including termination. If the evaluation is favorable, the teacher should sign, make a copy for his records, and place it in the principal’s mailbox as requested. If the evaluation is unfavorable, the teacher should indicate below his signature that he does not agree with the content. The teacher should then write a rebuttal and have it attached to the evaluation before placing it in the principal’s mailbox, if possible. If not, a rebuttal may be submitted later. The teacher may want to consult with the UniServ Director before finalizing his rebuttal.**

Scenario #3: A teacher assistant is assigned to a teacher with whom she does not get along. The teacher writes an evaluation that is unfavorable to the teacher assistant, putting her job at jeopardy. The teacher assistant feels the evaluation is based on their personality conflict rather than her job performance. What can she do?

**Answer: The Teacher Assistant should immediately call the UniServ Director. The UniServ Director will then assist in determining the course of action. The UniServ Director may suggest that the assistant have a talk with the teacher first before requesting a meeting with the principal. It may be determined that the UniServ Director needs to accompany the assistant to any meetings with the teacher and/or the principal. At the very least, the assistant should write a rebuttal.**

Say → If someone has an individual problem or question, please write it down and I will be sure to get an answer or response from one of our resources. If you feel you need immediate UniServ attention, I will give you that contact information.

