



Early Learning Coalition of Southwest Florida

<u>SUBJECT:</u> <u>Coalition Staff Grievances Regarding CEO</u>		
<u>Policy #:</u> <u>206.2</u> ELCSWF-EL0019-09	<u>Category:</u> Coalition Governance	<u>Reference #:</u> OEL-EL-206
<u>Approval:</u> September 2, 2009	<u>Effective Date:</u> September 2, 2009	<u>Replaces (policy # and date):</u> ELCSWF-EL0019-06 7/26/06 Replaces policy #ELCSWF-EL0019-08)

POLICY

A. General

1. Time limits of this policy are established to facilitate a prompt resolution of a grievance by an employee regarding the CEO which was not resolved following the procedures in the Employee Reference Guide time lines, and also providing ample opportunity to prepare and present information.
2. Board members are required to operate within the guidelines of the Sunshine Law and Public Records Law regarding board business unless otherwise exempt under provisions of Chapter 286 and/or Chapter 119 of the Florida Statutes, or any other applicable laws.
3. The Executive Committee will consult with Legal Counselor before exercising any exemption from Sunshine Laws.
4. The process outlined here relates only to matters other than employment, duties, wages, and job performance, which are administered at the discretion of the CEO in compliance with Board policies.

B. Grievance

5. A formal grievance to the Coalition Board regarding the CEO must be in writing, signed by the staff member, and submitted to the Board Chair.
6. The written formal grievance must include the following elements:
 - A statement of the facts surrounding the grievance and, if applicable, any known policy, rule or legal violations.
 - A statement of the efforts made to resolve the issue.
 - A description of the desired remedy or outcome.

7. **Within 10 working days** of the receipt, the Chair will schedule a date, time and location for the Coalition Executive Committee to hear the grievant's complaint.
8. The Chairperson shall have the authority to immediately relieve the CEO from responsibilities and place him or her on administrative leave with pay, pending further action by the Executive Committee.
9. If the CEO has been placed on administrative leave by the Chair, the Executive Committee must meet within 3 business days of the action to be apprised of the allegations and determine the course of action to be taken.
10. The Executive Committee may, at their own discretion, appoint an independent hearing officer to conduct a hearing on the grievance and make a non-binding recommendation to the full board.
11. The grievant and the CEO must be promptly advised both verbally and in writing of the date, time and location of the hearing.
12. The hearing date must be set within **30 calendar days** of the Coalition Chair's receipt of the grievance.
13. The Executive Committee and/or parties to the grievance may identify any other individuals the committee believes will assist in the resolution of the complaint.
14. Continuances may be granted at the discretion of the Chair for good cause shown or when deemed necessary to provide a fair grievance process.
15. Fifty one percent (51%) of the voting members of the Executive Committee must be physically present at the hearing to constitute a quorum for transaction of business.
16. The hearing process will provide for a face-to-face hearing, and will be conducted in accordance with the policy requirements and with the sunshine law.
17. Once the grievant is notified of the hearing time and location, and fails to request a change of time, the committee will proceed whether the grievant is present or not.
18. The Coalition Executive Committee will consider all statements, review all documents and may request additional information from the parties if members of the committee believe it is necessary and relevant to decision-making.
19. Any requested documentation must be promptly submitted to the Chairperson unless otherwise directed by the Committee.
20. The Coalition Executive Committee must make a final determination, and render a written decision within 30 days of the hearing, or the receipt of any requested additional evidence requested by the committee, whichever is later.

21. Following the decision rendered by the Coalition Executive Committee, the Chair will provide a full report orally and in writing to the Board. The written report will contain a copy of the grievance and decision issued by the Executive Committee.

Representation

22. All parties have the right to legal representation, or to be represented by a person of their choosing.

Protection against Retaliation

23. Staff shall not be retaliated against for exercising rights under this grievance policy.
24. If a staff member alleges he or she has been retaliated against for exercising rights under this policy, or for participating in a grievance as a witness or grievance representative, a complaint may be initiated directly to the Board Chair as a formal grievance.