

Grievance Toolkit

The purpose of this video is to provide members the tools to file their own step 2 grievances in regards to issues with empower. This will give us legal leverage moving forward against SFUSD and their failed Empower system. We want each site's UBC's to file these grievances on behalf of their colleagues with the goal of demonstrating how broken the system is and laying the foundation for a lawsuit. [Please make sure to watch the video in its entirety before filling out the grievance form.](#)

What is a grievance?

- A grievance is the union's legally protected remedy for when our contract is violated. It involves meeting either with your site admin, the labor relations department, or both.

Common Contract articles violated by empower:

- 1.) **Pay Issues:** 11.1 for certificated, 13/13.1 for classified - pay issues:
- 2.) **403b contributions for certificated members** - There are no specific articles for 403b, but members should cite 11.1, 12.6
- 3.) **Health benefits articles** - 12.1 for certificated members. 13.11.2 for classified members

Best practices for filing a grievance

- Do not include supplemental evidence in the grievance document. You will share emails, documentation and other evidence during the step 2 meeting
- Keep section 6a between 1-2 paragraphs
- Include timelines in section 6a. Example: "On June 24th, I emailed SFUSD to request they adjust my time sheet"
- MOUs can also be grieved
- Case number will be provided by our data specialist

Link to grievance template (If it is empower, payroll or benefit related, use Step 2 template):

Certificated: [☰ Step 2 Start Template-Certificated](#)

Classified: [☰ Step 2 Start Template-Classified](#)

- Make a copy of the template to fill it out.
- Do not fill in the Step 1 Cover Letter template. The UESF Admin Staff will fill in that template when the grievance is filed.
- Do not fill in the Staff Representative Information. The UESF Admin Staff will fill out that section.

Once you have completed the grievance template:

- Once you have finished the template, forward the document via email to asaiz@uesf.org and repstaff@uesf.org as a .txt. and include your name in the subject line.
 - **Sections 6a, Contract Articles, and 6b must be filled in for it to be filed with Labor Relations. If you aren't sure what to type in for those sections please ask a Staff Rep by emailing repstaff@uesf.org.**
- After it has been submitted, you will receive a confirmation email from asaiz@uesf.org
- The next step in the process will be labor relations reaching out to schedule the Step 2 hearing

Step 2 Grievance hearing:

- We will be sending out part 2 of this video next week that will prepare you for your step 2 meeting.
- In some cases, Labor Relations will sustain the grievance without having the step 2 meeting if they have clear evidence the contract has been violated. They will send over an agreement to be signed.

Step by step process:

- 1.) Choose template: [Certificated](#) or [Classified](#)
 - a.) Make sure you select the template for the right classification. All empower related grievances will be filed at Step 2, so if that is your case, be sure you are using the step 2 form. A step 1 grievance is filed when you are grieving your admin.
- 2.) Fill out personal information: Add your name, phone, address, worksite and assignment
- 3.) Fill out 6a: This is the meat of the grievance. This is where you identify how your contract was violated. Keep to 1-2 paragraphs
- 4.) Fill out 6b: Write the contract article violated. Do not add the actual contractual language.
- 5.) Identify the remedy: What would fix this situation? Identify what remedy work fix this contractual violation. For empower, it should be to make your salary whole.
- 6.) Email to asaiz@uesf.org and repstaff@uesf.org
- 7.) Wait for confirmation.
- 8.) Labor relations reaches out to schedule a meeting.
- 9.) Attend Step 2 meeting

Grievance Toolkit Part II: Preparing for your Step 2 hearing

- Once you have completed your grievance and filed it with UESF, you can expect a response from Labor Relations regarding the next steps. There are two options for a response. One, Labor Relations will sustain your grievance without the need for a meeting, if the grievance provides adequate evidence. If this happens, Labor Relations will send you a settlement agreement. You should review the agreement, and if it fixes your grievance, you should sign this agreement and return. If you have questions about the agreement, you should reach out to your staff representative.
- The second option for a response is a request for a hearing. This meeting will include the grievant, a member of your site UBC and a representative from Labor Relations, who will be Carrie Slaughter. During this hearing, you will present your case to labor and outline why you believe your contract and rights have been violated. Labor may have clarifying questions to help support their investigation. You should bring all supporting evidence you have to this meeting. You should also send over evidence via email once the meeting ends. This meeting is done virtually and is usually scheduled for 30 minutes. Plan a prep meeting with your UBC so you are prepared to defend your grievance at the hearing. You can do this! Good luck.