AEA GRIEVANCE FORM LEVEL IV

Article V Section 4(d) Level Four - Binding Arbitration: If the grievant is not satisfied with the decision at Level Three, the grievant may, through the Association, within ten (10) days from the Level Three decision being rendered, submit a request in writing to the Superintendent for a binding arbitration of the dispute. The written request shall include a copy of the informal conference form and the original grievance form (including the decision rendered). If mediation is waived by mutual written agreement, the timeline for submitting the request for arbitration shall begin the day after the agreement to waive was signed. The Association and the District shall attempt to agree upon an arbitrator. If no agreement can be reached, the parties will agree to request the American Arbitration Association or California State Mediation and Conciliation Service to supply a list of seven (7) names of arbitrators. Each party shall alternately strike a name until only one (1) name remains. The remaining individual shall be the arbitrator. The order of the striking shall be determined by lot. The Association and the District shall then be bound by the rules and procedures of the chosen arbitrator. If the question of arbitrability arises, it shall be ruled upon by the arbitrator, prior to hearing the merits of the case. In the event that a case is appealed to an arbitrator on which he/she has no power to rule, it shall be referred back to the parties without decision or recommendation on its merits. The parties shall be afforded the opportunity to submit written briefs. The arbitrator shall consider only those issues which have been properly carried through all prior stages of the grievance procedure. The arbitrator will be without power or authority to: (a) make any decision which requires the commission of an act prohibited by law or which is violative of the terms of this Agreement; (b) add to, subtract from, alter, amend or modify the terms of this Agreement; or (c) change any practice, policy, rule, regulation, or procedure of the District. The arbitrator's decision shall be in writing and will set forth findings of fact, reasoning and conclusions on the issues submitted. The decision of the arbitrator shall be final and binding upon both parties. The fees and expenses of the arbitrator and the hearing shall be borne equally by the District and the Association. All other expenses shall be borne by the party incurring them.

Appeal to Arbitration

- Copy of Level I, Level II, and level III must be attached
- Must be submitted 10 days after Mediator's decision
- Must be submitted to the Superintendent

Employee Name _____ Work Location _____

I hereby request that the grievance outlined on the attachments be moved to Arbitration

Signature of Date Given To Initial

Grievant _____ Superintendent _____
Received _____

Result of Arbitration:

_____

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_____
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Date _____

Copies of this completed form will be given to

1) AUSD Human Resources
2) AEA President
3) Appropriate Administrator
4) Grievant