

Know Your Rights!

Chicago
TEACHERS
UNION

September 2011

Asserting Your Rights

Grievances are a union's first line of defense for its members.

Without this process, our contract is just ink on paper. With a grievance, the employee and union inform the Board that a member's rights were violated and provide the employer a good-faith opportunity to make it right. If they don't do so, the union can appeal to arbitration and court, but only after following this legally established process. File a grievance when there is a complaint, a deviation or a misapplication of past practice involving a work situation that you believe violated: an article of the Union Contract, CPS Board Policies and Rules, or (in some cases) state or federal laws. Download the Grievance Authorization form from CTU.net.com/forms and send it to us along with supporting documentation.

“Smile and File”

It's only natural to be angry if your principal or supervisor orders you to do something that you know to be against the rules. It's important to remember, however, that disobeying an order from your principal or supervisor—even if *they're wrong*—is considered “insubordination” under the law. That's why your rule of thumb in these situations is to “smile and file.” You should let your boss know that their order isn't right, but go ahead and carry it out while documenting the problem. Then, as soon as you're off the clock, talk to your delegate or contact the union to file a grievance. You can't stop your boss from doing the wrong thing once, but you *can* prevent them from ever doing it again!

You Have Only 45 School Days to File

Grievances can only be filed within 45 school days. After that time, your complaint becomes time-barred. The only exception to the 45 day rule is if the grievance involves salary issues. Examples of salary grievances are: not being paid correctly, not receiving after school or athletic salary, and missing benefit days.

Two Different Grievance Procedures

In a “3-1 level grievance” the member alleges that there was a violation of the contract *at their work location* (school, district office, etc.). Examples of a 3-1 grievance are: improper evaluation procedures, not enough supplies, and unsafe or unsanitary conditions. These grievances are filed against *the principal or unit administrator*. That administrator has *five school days* to schedule a hearing with the school's field representative. Then the member, the field representative and the principal or department head meet to discuss the matter. The principal or unit administrator must then submit a written decision to the Union within five school days.

The other grievance is called a “3-6 grievance.” This is a grievance filed *against the Board of Education* itself. Examples of these grievances are: not implementing lane change adjustments, missing benefit days, improper lay-off, or tenure and seniority issues. The Office of Employee Relations has *fifteen school days* to give the member a written answer to 3-6 grievances.

Grievances have a robust appeals process. Visit CTU.net.com/rights to learn more.