

KNOW YOUR GRIEVANCE PROCEDURE

INTRODUCTION

The purpose of our contract grievance procedure is to establish a fair and agreed-upon method of resolving disputes arising over the interpretation or application of particular clauses in our collective bargaining Agreement and/or college/university policy. A fair grievance procedure is the historically proven method of avoiding protracted and mutually ruinous conflicts between employees and their employer.

WHAT IS A GRIEVANCE?

Our Agreement defines a grievance as “a breach, misinterpretation or improper application of terms” of the Agreement itself or “an arbitrary or discriminatory application of, or failure to act pursuant to, the applicable policies or rules of a Board of Trustees which establish terms and conditions of employment.” (Article VI.B) In short, any violation of the contract, of the policies of the individual college boards or of the normal practices and procedures at your college that are subject to our grievance procedure.

EXAMPLES OF COMMON GRIEVANCES

Experience has shown that certain problems occur often. Everyone is entitled to a written letter of appointment contract spelling out salary and courses to be taught. A copy of any document placed in an employee’s personnel file must also be transmitted to the employee.

All employees are entitled to the minimum salaries specified in the Agreement; policies and practices concerning salaries cannot be changed unilaterally by a college administration.

In general, you are likely to have a grievance if you are being treated in a manner that appears to be at variance from the normal pattern applied to your colleagues.

WHAT YOU SHOULD DO

If you believe you may have a grievance you should immediately contact your Department Representative, Grievance Chairperson, or Local President or call the Council office (908-964-8476). Do not delay; there are time limits within which a grievance must be formally filed. The time limit for most grievances is 45 days from the date you “should reasonably have known of its occurrence” (Article VI.E.1). Unfortunately, many grievances have been lost because of an individual’s reluctance to seek resolution through the formal grievance procedure before the time limits have passed. Thus, be sure to contact the Union as soon as possible for assistance in determining if you have a valid grievance and how to go about defining and resolving it.

WHAT THE UNION DOES

A representative of the Union will answer your inquiries and investigate your complaint. If you desire, the Union will assist you in filing a grievance. Once filed, a grievance can be held in abeyance by mutual consent in order to resolve it informally, but a grievance not filed before the expiration of the time limits is irrevocably lost. If you decide to pursue the grievance, the Union will represent you and present your case through the for-

mal steps of the grievance procedure (Article VI.D). On each campus the Union has developed specialists in processing grievances, and also has three full-time staff representatives available for assistance. The cumulative experience of all of these individuals means that your grievance will receive prompt, thorough and expert attention.

THE ARBITRATION STEP

Although anyone can file and process a grievance through the initial steps, only the Union has the legal authority to pursue a grievance to arbitration. At any point prior to arbitration the parties can mutually agree to a settlement of the dispute and end the process. If, however, the college/university and State refuse to settle, the Union’s Grievance Committee, comprised of representatives from all eight campuses, must review the case and vote on its merits for submission to arbitration.

ENFORCING THE CONTRACT

A strong grievance procedure vigorously enforced by the Union is necessary to insure equitable treatment under the contract. We recommend that all unit members periodically review Article VI, as well as the rest of the Agreement, and become familiar with their rights. If you feel that you may have received inequitable treatment, you should contact the Union immediately.

Through the grievance procedure, we will be successful in protecting employee rights. With your support, the Union can improve the grievance procedure in negotiations and continue to apply it with fairness and for the benefit of all.

Contract enforcement is the most demanding, time-consuming and expensive task that the Union performs for you. Without vigorous enforcement, a contract is worthless. We must maintain constant vigilance to ensure that our hard-won gains are not eroded by management. Your Union prides itself on having built a strong grievance machinery which operates democratically for all unit members. But we need your help to make it work.

SUPPORT YOUR UNION!

Together, we have strength.

JOIN NOW!

Visit www.cnjscl.org for more adjunct faculty information and to view the Agreement that governs your employment.

**SAVE THIS PAMPHLET FOR
FUTURE REFERENCE**

THE UNION WANTS YOU TO

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- FILING GRIEVANCES
- TIME LIMITS
- COMMON GRIEVANCES
- ARBITRATION
- ENFORCING THE CONTRACT

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(Adjunct Faculty Unit)

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AFT/AFL-CIO



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