

LEVEL FOUR DECISION OF THE BOARD OF TRUSTEES

Evergreen Teachers Association (ETA) Grieving Actions of Principal of LeyVa School

The Evergreen Teachers Association (ETA), filed a grievance on April 17, 2020, alleging that the LeyVa staff was given a distance learning schedule that was significantly different from the other two middle schools because periods are 90 minutes long rather than 60. ETA alleged that this change results in an increased workload for bargaining unit members and therefore a violation of the collective bargaining agreement. Specifically, they claim this is in violation of Article 1 Sections 1.2 and 1.3, Article 2, Article 3 Section 3.6, Article 4 Section 4.1, Article 5 Section 5.1, Article 7 Section 7.1 and 7.7, and the COVID-19 MOU paragraphs # 2, 14, and 16.

ETA filed this grievance directly with the Superintendent of the District bypassing Levels One and Two of the Grievance Procedure set forth in Article 6 of the collective bargaining agreement between ETA and the District. The Superintendent denied the grievance and returned it to ETA to file it at Level One if they were interested in pursuing the matter further. Rather than filing the grievance at Level One as directed, ETA appealed the Superintendent's denial directly to this Board.

This Board considered ETA's grievance at its Board meetings on June 13, 2020 and July 9, 2020. The Board has determined to deny the grievance on the following grounds:

1. The grievance procedure sets forth a process for resolving grievances at the lowest possible level. The integrity of that process is compromised if the parties fail to follow it. Therefore, the grievance is denied on the basis that ETA did not file the grievance at Level One.
2. The schedule attached to the grievance filed was the schedule for the students, not for teachers. That schedule was communicated to parents along with a handbook that broke down the schedule even further. An informal conference with the Principal at Level One would have provided further clarification and a shown that the schedule, once broken down, was similar to the schedule for the other two middle schools and therefore not in violation of the collective bargaining agreement.

The Board recognizes the need for greater understanding and communication between ETA and the Administrative team so that future disputes can be handled in a more collaborative and constructive way. Moving forward, the Board has asked the Administrative team to increase discussion time with ETA to proactively address areas of concern. The Board, however, must rule on this issue as per the collective bargaining agreement.

Therefore, the Evergreen Teachers Association grievance is denied.

7/17/2020

Dated: July 16, 2020

Board of Trustees
Evergreen Elementary School District

DocuSigned by:



Lena Welch

President