

# Moyle Park College



## **Grievance Procedure for Voluntary Secondary Schools with Boards of Management**

## PREAMBLE

- The purpose of the procedure is to promote **co-operation and orderly and harmonious relationships** between the school management and teaching staff to facilitate the effective operation of the school.
  - It's agreed that all parties are committed to resolving the grievance **at the earliest stage possible** through discussion and the application of fair procedures.
  - Before invoking the procedure, every effort should be made to resolve difficulties through **discussions between the Principal and the teaching staff concerned**.
  - Management and teachers should agree on consultation structures to discuss proposals for **changes in working conditions or work practices** affecting teachers' terms of employment *before* implementation. In the absence of agreement, both parties should maintain the **status quo**.
  - The grievance procedure will be reviewed **jointly from time to time** by the JMB and the ASTI. Disputes about interpretation should be referred to the JMB and the ASTI.
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## SCOPE OF PROCEDURE

- The procedure may be invoked by **any teacher** for the resolution of any grievance against:
    - The **Manager or the Board of Management** (in respect of their responsibilities for the government of the school).
    - The **Principal, Deputy Principal, or teachers with delegated responsibility** (in respect of their duties for the organisation and conduct of day-to-day activities).
  - If a grievance concerns a matter covered by legislation and is referred to the **Labour Court, this procedure shall not be used**.
  - School Managerial Authorities should inform staff members of this agreement's provisions upon appointment.
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## PROCEDURES

### Stage 1

1. The teacher shall discuss the grievance with the **Principal teacher**.
2. The teacher may be accompanied by the **ASTI School Steward** or a nominated colleague.
3. If unresolved, the teacher should be advised that Stage 2 may be invoked **within a further ten school days**.

## Stage 2

1. The teacher and/or the ASTI School Steward shall give **written notice** to the Principal and Manager or Chairperson of the Board of Management.
2. The teacher shall discuss the grievance with the **Manager or Chairperson of the Board**. The teacher may be accompanied by the ASTI School Steward or the nominated colleague.
3. The Manager or Chairperson shall immediately take appropriate steps to have the grievance resolved **informally**.
4. If unresolved within **ten school days**, the teacher may invoke Stage 3 **within a further ten school days**.

## Stage 3

1. The teacher and/or the ASTI School Steward shall give **written notice** to the **Chairperson of the Board of Management**. (In the case of a Manager, the teacher may proceed to Stage 4 ).
2. The teacher and/or School Steward shall make a **written submission** to the Chairperson for formal consideration by the Board of Management.
3. If the grievance involves the Principal, he/she shall be provided with a copy and requested to prepare a **written response**.
4. The Chairperson shall invite the aggrieved teacher and ASTI School Steward or colleague to attend a **formal Board meeting** , which must be held **within ten school days** of receiving the submission. The Board shall give a hearing to the teacher.
5. The Board shall try to resolve the grievance by **conciliation**.
6. If conciliation fails, the Board shall give a **decision** on the grievance.
7. The Chairperson shall convey the decision **in writing** within **five school days** of the hearing.
8. The teacher may invoke Stage 4 if:
  - The Chairperson fails to convey the decision within the specified period.
  - The Board fails to give a hearing within the time specified.
  - The teacher is unwilling to accept the decision.

## Stage 4 Appeal

1. The teacher (or School Steward at the teacher's request) shall give **written notice** of the intention to appeal to the Manager or Chairperson **within ten school days** of receiving the decision, or of the end of the specified period.
2. The teacher/School Steward shall provide the Manager or Chairperson with **five copies of a submission** detailing the grievance and the redress sought.
3. The Manager or Chairperson notifies the General Secretary of the JMB and the General Secretary of the ASTI, who arrange for a **tribunal**.
4. **The tribunal shall consist of:**
  - An agreed **independent Chairperson**.

- **Two persons not associated with the school**, one nominated by the JMB and one by the ASTI.
5. The tribunal members' names/addresses must be notified within **10 school days** of the appeal date.
  6. A meeting of the tribunal shall be convened within **20 school days** of the appeal date.
  7. The Manager/Chairperson must prepare a **report on the proceedings at previous stages** and supply it along with the teacher's submission to each tribunal member within **15 school days** of the appeal date.
  8. The tribunal is empowered to **conciliate**.
  9. Failing a friendly settlement, the tribunal shall **determine the issue** by unanimous or majority vote.
  10. The decision must be conveyed **in writing** to all parties (teacher, Board, JMB, ASTI) within **ten school days** of the hearing.
  11. The tribunal's decision shall be **final and binding** on all parties, without prejudice to the right of recourse to litigation.
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## NOTES

- Until the dispute is resolved, the teacher shall **continue to carry out instructions** of the Principal, Deputy Principal, etc., or the Manager/Board.
  - This procedure also applies where **two or more teachers share a grievance**.
  - Where a **Principal has a grievance**, or shares one with other teachers, Stages 2, 3, and 4 shall apply. The Principal has the right to be accompanied/represented by a union representative or colleague of their choice.
  - An aggrieved teacher(s) may be represented at **Stage 3** by the ASTI School Steward or a teacher colleague.
  - An aggrieved teacher(s) may be represented at **Stage 4** by a member of the ASTI CEC, a Branch Officer, Head Office official, School Steward, or a nominated teacher colleague.
  - Any expenses *other than legal expenses* arising at Stage 4 shall be shared by the parties who nominate the tribunal.
  - A **school day** is a day on which the school is in operation.
  - Any difficulty arising out of the implementation of this procedure shall be referred for resolution to the parties to this agreement.
  - The Grievance Procedure shall be **reviewed after three years** or at the request of either party.
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*This policy is subject to periodic review by the Board of Management*