

**EDUCATION AND STATE EMPLOYEES GRIEVANCE BOARD  
FORM FOR HIGHER EDUCATION EMPLOYEES**

808 Greenbrier Street, Charleston, WV 25311 (304) 558-3361 Fax (304) 558-1106 Toll-Free (866) 747-6743

**For Levels I, II, III, IV**

**PART A: Grievant's Information:**

Grievant's Name	State Institution of Higher Education	Grievant's Representative (if applicable)
_____	_____	_____
Grievant's Home Address	Grievant's Work Address	Representative's Address
_____	_____	_____
City, State and Zip Code	City, State and Zip Code	City, State and Zip Code
_____	_____	_____
Grievant's Home Telephone No.	Grievant's Work Telephone No.	Representative's Telephone No.
_____	_____	_____

**STATEMENT OF GRIEVANCE:** (Please state the event causing this grievance and list the specific statutes, policies, rules, regulations or agreements you claim have been violated, misapplied or misinterpreted.)

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**RELIEF SOUGHT:**

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**PART B: Procedural Summary (if applicable)**

Level I: Check  if appropriate: \_\_\_\_\_ A Level I Informal Conference is requested.

Grievant's Signature:	Date Filed:	Date of Decision:
_____	_____	_____

Level II:

Grievant's Signature:	Date Filed:	Date of Decision:
_____	_____	_____

Level III:

Grievant's Signature:	Date Filed:	Date of Decision:
_____	_____	_____

Level IV: Check  One: \_\_\_\_\_ A Level IV hearing is requested.

\_\_\_\_\_ A decision may be made on the lower level record.

Grievant's Signature:	Date Filed:
_____	_____

This form is designed to be used at all levels in the procedure.

**FILING GRIEVANCES:** Claims that a supervisor has engaged in discrimination or retaliation, and grievances contesting a suspension, demotion, dismissal, or loss of pay may be filed either at **Level I or Level II**. Claims concerning suspensions exceeding twenty (20) days, demotions and dismissals may be filed directly at **Level IV**.

“Days,” for purposes of filing or responding to grievances, means working days.

**Level I - W. Va. Code § 29-6A-4(a)**

- o File grievance form with immediate supervisor within ten (10) days of grievable event.
- o At request of grievant or immediate supervisor, an informal conference shall be held within three (3) days of receipt of written grievance.
- o Supervisor must issue written decision within six (6) days of receipt of written grievance.

**Level II - W. Va. Code § 29-6A-4(b)**

- o Grievant may appeal to administrator of grievant’s work location within five (5) days of receiving Level I decision.
- o Administrator or designee must hold conference within five (5) days of receipt of appeal.
- o Administrator or designee must issue written decision within five (5) days of conference.

**Level III - W. Va. Code § 29-6A-4(c)**

- o Grievant may appeal to chief administrator within five (5) days of receipt of Level II decision. The chief administrator is the president of a state institution of higher education for employees of the institution, or the chancellor for employees of the higher education policy commission.
- o Chief administrator or designee shall hold hearing within seven (7) days of receipt of appeal.
- o Chief administrator or designee must issue a written decision within five (5) days of the hearing.

**Level IV - W. Va. Code § 29-6A-4(d)**

- o Grievant may appeal to Grievance Board within (5) days of the Level III decision.
- o **Upon appeal, the Grievant must submit the grievance form and all lower level decisions to the West Virginia Education and State Employees Grievance Board, 808 Greenbrier Street, Charleston, West Virginia 25311.**
- o A Level IV hearing, if requested, must be held within fifteen (15) days following the request. **Note: In practice, hearings are usually held on a date agreed upon by the parties.**
- o The Administrative Law Judge must issue a written decision within thirty (30) days of the hearing. **Note: If the parties agree to file proposed findings of fact and conclusions of law, the Board considers the 30-day deadline to be automatically extended until the agreed date.**

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**IMPORTANT**

Grievant **MUST** fill out ALL pertinent parts of the grievance form. If some parts are not completed, this will delay processing this grievance. If there is more than one grievant, attach all grievant’s names, home addresses, telephone numbers and representatives. Addresses and telephone numbers are very important. For confidentiality purposes, we prefer to send all correspondence to grievant’s home address only.

Statement of Grievance and Relief Sought: Include a brief but COMPLETE description of the grievable event and the relief sought. Additional sheets may be attached.

You have the right to request the Board to provide a mediator at any step in the grievance procedure to attempt to settle the dispute.