

SAMPLE

Monitoring Report EL 2.2 Treatment of Staff

Reinventing Your Board, Revised Edition.

Policy 2.2: With respect to the treatment of staff, the superintendent may not cause to allow conditions that are unsafe, undignified, or unclear.

2.2.1 The Superintendent shall not operate without personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions such as nepotism and preferential treatment for personal reasons.

2.2.2 The Superintendent shall not retaliate against any staff member for non-disruptive expression of dissent.

2.2.3 The Superintendent shall not prevent staff from grieving to the board when (a) internal grievance procedures have been exhausted and (b) the employee alleges that board policy has been violated to his or her detriment.

2.2.4 The Superintendent shall not fail to acquaint staff with his or her interpretations of their protections under this policy.

This is my report on you Executive Limitation policy Treatment of Staff, presented in accordance with your monitoring schedule. I certify that the information contained in this report is true.

_____ Superintendent

This report will monitor the above-references policy, starting at its more detailed provisions and ending with the global provision.

POLICY WORDING 2.2.1: The Superintendent shall not operate without personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions such as nepotism and preferential treatment for personal reasons.

CEO'S INTERPRETATION (a) clarify rules for staff

95 % of staff in any category should report that they have an employee handbook or copy of the collective agreement, where applicable, or can easily find one. 95% is a minimum requirement based on information obtained [names credible source used as a reference] regarding the frequency at which people claim ignorance of a fact even after being informed of it on numerous occasions and in numerous ways.

Rules that must be clear include those regarding hours in the working day; overtime and overtime pay' reimbursement of expenses; staff treatment of students, parents and community; procedures to follow if unable to work due to sickness; procedures to follow in the case of emergencies, including snow days; statements to the media. These are normal requirements of employee handbooks according to legal council [name as reference].

DATA

1. We conducted an anonymous test using a stratified random sample of 10 percent of employees in each of the following categories; management, teaching, maintenance, clerical, IT, transportation. The total number of staff surveyed was XX. Each participant was asked if he or she owned or could easily find an employee manual or collective agreement. The overall positive response rate was 96 percent. I REPORT COMPLIANCE
2. Legal counsel has reviewed the employee handbook and collective agreement to ascertain if these documents contain the minimum requirements as noted in the interpretation. Legal counsel has confirmed that these documents are complete as defined. I REPORT COMPLIANCE

CEO'S INTERPRETATION (b) provide for effective handling of grievances

Rules that provide for the effective handling of grievances must include those that describe grievable circumstances, the method for initiating a grievance, the options for representation, the stages of the grievance, all applicable deadlines, and the privacy rights of all parties to the grievance. Legal council, employee associations (where applicable) and the National Association of [name credible source] describe these as essential elements in the handling of grievances.

Effectiveness is defined not as the resolution of the grievance in favor of the griever but as the completion of the process in a timely, private, and courteous manner. In addition, effectiveness will mean that grievers report feeling respectfully heard. A minimum of 90% of the parties should experience the process as one in which their point of view was heard and considered. 90% is a benchmark that takes into account the inevitability that if someone loses a grievance, there may be a tendency to criticize not only the outcome but the process.

DATA

1. Guidelines as defines above for the effective handling of grievances exist in our handbook and collective agreement, according to volunteers from CY Law School who reviewed them as a class project. I REPORT COMPLIANCE.
2. There were nine grievances since the last monitoring report. In each case, one month after the conclusion of the process, the parties involved were asked if they experiences the process as timely (100% responded positively), private (195% responded positively, and courteous (100% responded positively, and if they felt that their point of view was heard and considered (90% responded positively. I REPORT COMPLIANCE.

CEO'S INTERPRETATIO(c) protect against wrongful conditions such as nepotism and preferential treatment for personal reasons

Staff will be considered protected against wrongful conditions if two conditions are met:

First, there are clear guidelines explaining their options if they feel they are a victim of sexual harassment, given unfavorable job assignments or job hours due to the personal preferences of their supervisor: given an unjustifiable poor performance appraisal or job reference: or disadvantaged in comparison with others who may be related by blood or marriage to supervisory staff. Legal counsel and HR specialist [name credible source] agree that the conditions noted are reasonable interpretations of “wrongful.” 90% of staff should report awareness of guidelines.

Second, staff must report confidence that guidelines as noted are followed and are effective in ensuring fairness. If 90% of staff are confident that corrective action will be taken in the event that wrongful conditions have been shown to have occurred, this is considered by our consults [name credible source] to be well within acceptable limits.

DATA

A stratified random sample (see above) was asked if they knew or could easily find out what options they would have in the even that they felt they were exposed to the wrongful conditions interpreted above. 97% reported that they knew the steps to be taken. I REPORT COMPLIANCE.

Persons in the sample were further asked to rate their confidence level regarding administration talking corrective action. On a scale from 1 (not confident at all) to 5 (very confident), 90% rated their confidence level at 3 or above. I REPORT COMPLIANCE.

POLICY WORDING: 2.2.2 The Superintendent shall not retaliate against any staff member for nondisruptive expression of dissent.

CEO'S INTERPRETATION

Expression of dissent is any statement by an employee that indicates disagreement with a decision made by management. Such expression is nondisruptive when there is no refusal to perform work, when there is no encouragement of others not to perform work when it is made in a courteous and private manner, and when it is not made publicly including to the media. Employees who disagree nondisruptively (as defined above) with management decisions may not experience retaliation from the Superintendent or any other member of management such as firing, reassignment to less desirable jobs or job hours, or initiation of a formal discipline procedure. 95 % of staff should be able to report that no such retaliation occurs. This percentage is chosen because HR research [cite credible source] indicates that 5% of staff will always complain that management has erred or will err, regardless of facts.

DATA

Responders to an anonymous stratified random sample (see above) were asked to report on retaliation as defined. 100% of respondents said that they were aware on no occasion in which a staff member was fired for disagreeing with management as defined. 97% reported no experience of job reassignment, and 96% reported no knowledge of formal discipline proceeding. I REPORT COMPLIANCE.

2.2.3 The Superintendent shall not prevent staff from grieving to the board when (a) internal grievance procedures have been exhausted and (b) the employee alleges that board policy has been violated to his or her detriment.

CEO'S INTERPRETATION

Internal grievance procedures have been exhausted when all stages up to and including a matter going to outside arbitration have occurred (for classified staff), or when the issue has been decided by the Superintendent after all previous stages have been completed (for nonclassified staff). A staff member who has reached either of these points and has not received satisfaction as he or she defines it must be provided with a notice outlining the manner in which the matter can be presented to the board. In addition, the notice given to staff must specify that any grievance to the board must be related to an alleged violation of board policy. Not receiving such notice would constitute "prevention" of a staff member going to the board, as would threats of reprisals. There must be no instances of such prevention.

DATA:

Since that last monitoring of this policy, five staff members have exhausted the internal grievance procedures without receiving the resolution they sought. Each of them confirmed when asked by the system's legal counsel that they were aware of the possibility of taking the matter to the board, and knew how to initiate such a step. None reports worrying about adverse consequences if they were to do so. None, however, wished to do so. I REPORT COMPLAINTS.

2.2.4 The Superintendent shall not fail to acquaint staff with his or her interpretations of their protections under this policy.

CEO'S INTERPRETATION

Staff having been acquainted with their protections is accomplished in part by compliance with 2.2.1(a) above. Further, any new or altered management policies must be widely known and understood by 95% of staff within one week of their introduction. As noted in 2.2.1(a) above, 95% of staff is a reasonable interpretation.

DATA

A stratified random sample of staff was asked five days after the recent revision of rules regarding sick leave if they were aware of these revisions. Only 65 percent reported awareness. I REPORT A POLICY VIOLATION that I expect the system to have successfully addressed within ten days of this report.

GLOBAL Policy 2.2: With respect to the treatment of staff, the superintendent may not cause to allow conditions that are unsafe, undignified, or unclear.

CEO'S INTERPRETATION unsafe

This part of the global policy has been substantially further defined in the board's subsequent policies 2.2.1 through 2.2.4. However, there remains as yet undefined aspects to the conditions described by the board as unacceptable.

Conditions can be described as unsafe when

Applicable workplace safety laws are unenforced

Security measures designed to prevent the introduction of weapons in to the system are not in place and not demonstrated to be effective.

There is not enforced code of behavior regarding the expected treatment of staff by students and parents

There is not up-to-date procedures regarding dealing with emergencies

There interpretations of “unsafe” were derived from input from legal council and the various professional associations of which staff are members.

DATA

1. A review by legal counsel of the workplace safety laws that apply to our system revealed that all laws are posted, but that the laws regarding xxxxx are only partially understood or followed. This situation will be corrected in three months. I REPORT A POLICY VIOLATION.
2. Electronic security screening in all schools has prevented a number of prohibited articles from being introduced. There have been no instances of weapons missed by this screening being found in a school. I REPORT COMPLIANCE
3. All students, parents, and guardians are informed of the various ways they can bring their concerns to staff’s attention. They are informed that abusive or discourteous language or behavior will not be tolerated. Three instances have occurred in which police were called to escort parents from the premises, and five instances of a students being temporarily suspended from school. I REPORT COMPLAINCE
4. The emergency plan tat would be put into effect in the case of fire, attack, or extreme weather is rehearsed annually. The most recent rehearsal was last month. This rehearsal demonstrated that staff are reassured by the existence of a planned response to threats to their safety, as well as to the safety of students. It also demonstrated that they are aware of the steps they must take in an emergency. I REPORT COMPLIANCE

CEO'S INTERPRETATION undignified

This part of the global policy has been substantially further defined in the board's subsequent policies 2.2.1 though 2.2.4. However, there remains as yet undefined aspects to the conditions described by the board as unacceptable.

Conditions can be described as undignified when

More than 10% of staff report that there is inappropriate privacy for staff to relax, change clothes and eat

More than 10% of affected staff report that any discipline or rebuke of staff by management is delivered in a manner or location that is not private

More than 10% of staff report that management does not model courteous behavior.

These interpretations of “undignified” were derived from a staff survey, asking staff’s perception of the most important components of dignified treatment.

DATA

A stratified random sample of staff were asked if changing, eating and resting facilities protected their dignity. 7% reported dissatisfaction. I REPORT COMPLIANCE

In the same survey, staff were asked if they had been disciplined or rebuked by their supervisory. If they answered positively, they were asked if this action had taken place privately. Of affected staff, 15% reported that their experience had not been private. I REPORT A POLICY VIOLATION.

Staff were also asked if they could count on courteous behavior to be modeled by managements, and 91% reported such confidence. I REPORT COMPLIANCE

CEO'S INTERPRETATION unclear

This part of the global policy has been substantially further defined in the board’s subsequent policies 2.2.1 though 2.2.4. However, there remains as yet undefined aspects to the conditions described by the board as unacceptable.

Conditions can be described as unclear when

Rules and all changed made to them are not explained to staff

Any staff members do not know to whom they report

Any staff members do not know the expected output of their jobs and the limitations on the authority of their positions.

These interpretations of “unclear” were derived from consultations with [credible source] and with legal counsel.

DATA

HR reviewed all rule change notifications to check if explanations were offered for the changes. In all cases, explanations were provided. I REPORT COMPLIANCE

The stratified random sample of staff studied for this part of the report was asked if they were completely clear about to whom they report. With the exception of those who are in contact with board members, staff report that they are very clear about lines of reporting. Staff who receive instructions from board members report much less clarity, though they state that they have a written job description defining their formal lines of reports. I REPORT COMPLIANCE

Staff were asked if they clearly understood what they were to accomplish in their jobs as well as the authority that had been delegated to them. All reported these job expectations were clear. I REPORT COMPLIANCE