

ARTICLE IVA

THE HANDLING OF GRIEVANCES

SECTION 1.

Any person employed in a bargaining unit represented by a Local Unit of the National Association of Government Employees (hereinafter the "Grievant") shall have the following rights and shall employ the following remedies under the provisions of these Constitution and By-Laws if s/he believes that the Grievant's Local Grievance Committee has acted improperly in handling the member's grievance under the Collective Bargaining Agreement.

SECTION 2.

The Grievant, upon receiving written notification from the Local Unit Grievance Committee that the Committee has determined either to (1) reject his grievance; (2) settle the grievance; or (3) decline to further process the grievance shall take the following action to protect his or her rights:

A. Step One – The Grievant shall, within seventy-two (72) hours of notification of the Local Unit Grievance Committee's action complained of, notify at least one member of the Local Unit Grievance Committee, in writing, that the Grievant appeals the Committee's decision to the National President.

The Local Unit shall immediately take the required action to protect the Grievant's rights under the Collective Bargaining Agreement by proceeding to the next step of the Grievance Procedure.

B. Step Two – The Grievant must notify the National President, in writing, within five (5) calendar days following the decision of the Local Unit Grievance Committee, that s/he appeals the Local Unit Committee's decision.

(a) Such appeal shall set forth a complete narrative as to the facts in support of the grievance, a copy of the Collective Bargaining Agreement, the decision of the Local Unit Grievance Committee and whatever documents are reasonably necessary for an understanding of the case.

(b) The Appeal will be decided by a National Officer duly designated to act by the National President.

(c) The duly designated National Officer shall schedule and conduct a hearing if necessary on the Grievant's Appeal as soon as is administratively possible.

(d) The duly designated National Officer, at his or her sole discretion, may (1) render a decision conducting whatever investigation s/he deems necessary or (2) refer the matter for decision to the National Executive Committee.

(e) The duly designated National Officer may, at any time, (1) order the Local Unit Grievance Committee to take all steps necessary to protect the Grievant's rights under the Grievance Procedure pending the decision of the National Officer under (d) above, or (2) if the final decision is in favor of the Grievant, such National Officer shall order the Local Unit to take whatever actions s/he deems necessary under the Collective Bargaining Agreement.

Arbitration of termination cases so decided by the National Officer or National Executive Committee will be paid for by the National Union.

SECTION 3.

Any member of a Local Unit who believes that his or her grievance has been improperly handled by the Local Unit Grievance Committee or other authorized local bargaining agent shall, without exception, employ the remedies and procedures contained herein. No complainant shall be entitled to enforce or present his or her claim against the National Union or its Local Unit subordinate in any court or other administrative body without first exhausting these internal procedures.