

FOR INTERNAL USE ONLY
L2 ALJ:
L3 ALJ:
Topic:

**West Virginia
Public Employees Grievance Board**

Grievance Form for Levels 1, 2, and 3

Do not write above this line.

Grievant's information (Please print. All information is required)

DOCKET number: _____

_____ Grievant's full name	_____ Agency, Institution, Board, Division	_____ 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 phone number	_____ Grievant's work telephone number	_____ Representative's telephone number
_____ Grievant's home email address	_____ Grievant's work e-mail address	_____ Representative's e-mail address
	_____ Grievant's job title or classification	

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. Additional sheets may be attached.):

Relief Sought:

Level One (Choose one)	Level Two (Choose one)	Level Three (Choose one)
<input type="checkbox"/> 1. Hearing	<input type="checkbox"/> 1. Mediation by ALJ	<input type="checkbox"/> 1. Hearing
<input type="checkbox"/> 2. Conference	<input type="checkbox"/> 2. Private Mediation (See instructions)	<input type="checkbox"/> 2. Submit on Level 1 Hearing Record
<input type="checkbox"/> 3. Default	<input type="checkbox"/> 3. Private Arbitration (See instructions)	
<input type="checkbox"/> 4. Proceed directly to Level 3 (See instructions)		
_____ Date filed	_____ Date filed	_____ Date filed
_____ Grievant's signature	_____ Grievant's signature	_____ Grievant's signature

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Please note the following:

- This form is to be used for all levels of the grievance procedure.
- Grievance forms may not be filed by interdepartmental mail. See the Grievance Board's Procedural Rule § 156-1-2.1.4.
- "Days" means working days. See W. Va. Code § 6C-2-2(c).
- The Docket Number will be assigned by the Grievance Board.
- An employee may proceed directly to Level Three only under circumstances listed in the Code:

W. Va. Code § 6C-2-4(a)(4): An employee may proceed directly to level three upon the agreement of the parties or when the grievant has been discharged, suspended without pay or demoted or reclassified resulting in a loss of compensation or benefits. Level one and level two proceedings are waived in these matters. [Emphasis added]

- If all parties agree to proceed directly to level three, a statement verifying this fact, signed by all parties, must be submitted with the Grievance Form.

Level One – W.Va. Code § 6C-2-4(a)

- Grievances must be filed within 15 days of the grievable event.
- Send a copy to the Chief Administrator of your agency; and a copy to the Public Employees Grievance Board, 1701 5th Avenue, Suite 2, Charleston, West Virginia 25387.
- State employees must also send a copy to the Director of the Division of Personnel, Building 3, Suite 500, State Capitol Complex, Charleston, West Virginia 25305.
- A hearing will be recorded; a conference will not be recorded.

Level Two – W.Va. Code § 6C-2-4(b)

- Grievant may appeal a Level One decision within 10 days of receiving an adverse written decision.
- Send a copy to the Chief Administrator of your agency; and a copy to the Public Employees Grievance Board, 1701 5th Avenue, Suite 2, Charleston, West Virginia 25387.
- State employees must also send a copy to the Director of the Division of Personnel, Building 3, Suite 500, State Capitol Complex, Charleston, West Virginia 25305.
- The grievant may choose mediation by a Board administrative law judge; private mediation; or private arbitration. Grievant must select one of the three options.
- Mediation by a Board administrative law judge is free.
- If private mediation or private arbitration is selected, a Mediation Agreement Form must be filed with the Grievance Form.

Level Three – W. Va. Code § 6C-2-4(c)

- Grievant may file a written appeal within 10 days of receiving a written report stating that the Level Two mediation was unsuccessful.
- Send a copy to the Chief Administrator of your agency; and a copy to the Public Employees Grievance Board, 1701 5th Avenue, Suite 2, Charleston, West Virginia 25387.
- State employees must also send a copy to the Director of the Division of Personnel, Building 3, Suite 500, State Capitol Complex, Charleston, West Virginia 25305.