

<b>FOR INTERNAL USE ONLY</b>
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:**

<b>Level One</b> (Choose one)	<b>Level Two</b> (Choose one)	<b>Level Three</b> (Choose one)
<input type="checkbox"/> <b>1. Hearing</b>	<input type="checkbox"/> <b>1. Mediation by ALJ</b>	<input type="checkbox"/> <b>1. Hearing</b>
<input type="checkbox"/> <b>2. Conference</b>	<input type="checkbox"/> <b>2. Private Mediation</b> (See instructions)	<input type="checkbox"/> <b>2. Submit on Level 1 Hearing Record</b>
<input type="checkbox"/> <b>3. Default</b>	<input type="checkbox"/> <b>3. Private Arbitration</b> (See instructions)	
<input type="checkbox"/> <b>4. Proceed directly to Level 3</b> (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, 1596 Kanawha Boulevard, E., Charleston, West Virginia 25311.
- 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, 1596 Kanawha Boulevard, E., Charleston, West Virginia 25311.
- 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, 1596 Kanawha Boulevard, E., Charleston, West Virginia 25311.
- 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.