

**WEST VIRGINIA PUBLIC EMPLOYEES GRIEVANCE BOARD**

<b>FOR INTERNAL USE ONLY</b>
L2 ALJ:
L3 ALJ:
Topic:

Grievance Form for Levels 1, 2, and 3

**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 e-mail 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. Proceed directly to Level 3 (See instructions)	<input type="checkbox"/> 3. Private Arbitration (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 fifteen (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 6, Room 416, 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 ten (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 6, Room 416, 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 (1) of the three (3) 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 ten (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 6, Room 416, State Capitol Complex, Charleston, West Virginia 25305.