

ATTACHMENT A (ENC AGENDA ITEM 7d OCTOBER 26, 2005)
BYLAW COMMITTEE PROPOSED ADDITIONAL STANDING RULES --
APPROVED BY BYLAWS COMMITTEE ON October 19, 2005

7. Prospective members of an established Committee must attend at least two meetings, 28 days apart, prior to consideration as a voting member of said Committee. [Committee Vote 5 yes, 1 no]

8. Grievance Procedures. [Committee Vote 5 yes, 0 no, 1 abstention (C. Hand)]

A. Any non-conflicted Stakeholder may serve on the ad hoc grievance panel (Grievance Panel") excluding Alternates and Representatives of the Council.

B. The President and the Vice-President, or their designees, shall represent the Council in connection with the Grievance. In the event the President or the Vice-President is conflicted, the other of them shall designate the Council representatives to participate in the Grievance processes. If both are conflicted, then the Executive Committee shall select the Council Representatives. Such designation shall be made within five (5) days of receipt of the Grievance.

C. The Grievance Panel shall set a meeting date within ten (10) days of their appointment for the purpose of have a hearing on the grievance, at which sufficient time shall be set aside to have the aggrieved parties present their concerns and for response by the Council representatives and other interested parties. The Grievance Panel shall endeavor to encourage the resolution of the grievance by agreement of the parties. If agreement is not possible the Grievance Panel shall include in its report the positions of the parties and its recommendation to the Council for proposed action on the Grievance.

D. In the event that the Grievance Panel is unable to be selected (there being a lack of five persons who have previously indicated a willingness to serve on the Grievance Panel) or the parties were unable to reach agreement, then the matter may be referred to mediation with a professional mediator, preferably who is willing to act on a pro bono basis. It shall be the responsibility of the Secretary (or if the Secretary is conflicted, the President, or if both are conflicted, the Executive Committee) to select the mediator. The mediation shall be held within ten (10) days of the selection of the mediator. The mediator shall be selected within five (5) days of the receipt of the grievance if a Grievance Panel is not able to be selected

by the Secretary or within five (5) days of the Grievance Panel reporting that the parties did not reach agreement at the hearing.

E. An appeal to DONE shall not be undertaken until the grievance process has been completed with a vote by the Council on the report of the Grievance Panel or the Council's rejection of implementation of agreements reached in the Grievance process.

F. The filing of a grievance shall not effect the action of the Council to which the grievance applies.