

POLICY ON HANDLING OF GRIEVANCES BY THE GRIEVANCE COMMITTEE

1. One or more members of the Grievance Committee will be assigned to research and present each grievance.
2. The Committee will decide whether to take a grievance to the University's Labour Committee.

If the Grievance Committee decides not to take a grievance to the Labour Committee, it will:

- (1) provide the grievor and her/his steward with an opportunity to meet with the Grievance Committee,
- (2) undertake to reconsider its decision,
- (3) provide the grievor on request with written reasons for its final decision.

Where the grievor is still unsatisfied, she/he may appeal to the Executive.

3. (a) The Grievance Committee, subject to appeal to the Executive, shall have sole authority to decide:
 - (1) whether to recommend that a grievance be taken to arbitration,
 - (2) who shall represent the Union in arbitration,
 - (3) who the Union will accept as an arbitrator,
 - (4) who shall act as liaison among the Committee, the grievor, and the Union's representative.
- (b) If the Grievance Committee decides not to recommend that a grievance be taken to arbitration, it will:
 - (1) provide the grievor and her/his steward with an opportunity to meet with the Grievance Committee,
 - (2) undertake to reconsider its decision,
 - (3) provide the grievor, on request, with written reasons for its final decision.

Where the grievor is still unsatisfied, she/he may appeal to the membership.

4. The grievor shall, by bringing a grievance before the Committee, agree:
 - (1) to abide by the Committee's policies and procedures,
 - (2) to accept the Committee's decisions on the conduct of a grievance, subject to the procedures for reconsideration set out above,
 - (3) to keep the Committee, through its assigned representative, fully informed of the progress and potential resolution of the grievance.

5. The Committee, through its assigned representative, shall keep the grievor fully informed of the progress and potential resolution of the grievance.

6. Differences of opinion on any matter within the Grievance Committee will be resolved by a majority vote of a quorum of its members at a scheduled meeting.

GRIEVANCE COMMITTEE REPORT

Several months ago, the grievance committee began discussing the policy for handling grievances which is reprinted elsewhere in this newsletter. We were concerned at that time to develop a consistent practice in the disposition of grievance matters which reach step three of the grievance procedure. Until that time, none had existed in our local by-laws.

Once we began talking about this policy, we realized that we had in fact developed a set of guidelines for dealing with grievances. These guidelines had gradually evolved through the experience accumulated over several years. For example, we had learned (the hard way!!!) that effective communication with our grievors, stewards, lawyers, and Employee Relations was essential; it was not practical for a grievor to manage her arbitration independently of the grievance committee, leaving us to flounder for explanations when the University's lawyer telephoned to resolve practical details of an arbitration.

We realized, too, that through our collective experience of resolving grievances we had gleaned a broader view of how we must maintain the collective agreement. We realized the danger of arguing cases in ways which might prejudice rights guaranteed by our contract. There is the example of an employee who had been hired as a temp. to fill the position of a woman who was on maternity leave. She knew that her appointment had a finite term, and that she would have to find another position when the term ended. During this term, she became a continuing employee, since she worked at the University for longer than three months. Matters became a little confusing when the woman who was on maternity leave did not return to her job. The job was posted, and subsequently another woman was involuntarily transferred to the position. The temp. argued that the job was now hers, since she had become a continuing employee and was currently in the position. If the grievance committee had agreed with her, the transferred employee, who had more seniority, would have lost her rights under our involuntary transfer clause. More importantly, however, we might have prejudiced this clause for other employees in our bargaining unit whose jobs were disappearing! The grievance committee has taken the correct position that wherever there are conflicting interests in a grievance, it is our job to protect the interest of the union as a whole--not to sacrifice the contract to the interest of a single individual.

Through these and other experiences, it became evident that the grievance committee had to assume a great amount of responsibility for decision-making. But while we felt that a certain amount of centralized management of grievances was necessary, we did not wish to exclude the grievor or steward from the decision-making process. (This participation is vital and necessary for the successful resolution of disputes. Grievance committee meetings are open for any member of the local--and we would certainly welcome increased participation in this respect.) We also felt that the grievor must have some right of appeal if she disagreed with the grievance committee's disposition of her grievance. That is why we have included in our policy the right of appeal to the executive and to the membership. We have in the past disagreed with a grievor about whether we should take her case to arbitration. This person was informed that she had the absolute right to approach the membership and argue her reasons for continuing to process the grievance.

The grievance committee has drafted this policy only after long and deliberate consideration of its obligations to the membership as a whole. We wanted to make our practice known to the membership, to clarify our function and to ensure at the same time that the rights of the individual grievor are maintained. We welcome the opportunity to discuss this policy with the membership at the next membership meeting.

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for the Grievance Committee