Thoughts About Grievances

Think about the following statements.
Assign a rating such as:
1 = "strongly disagree",
5 = "strongly agree"
or somewhere in between.

1. The union loses credibility when it goes forward with grievances of questionable validity.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

2. Winning a member's grievance is one of the most satisfying experiences for a steward.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

3. For a grievance procedure to serve its intended purpose, there has to be _____. (Complete the sentence)

4. Effective use of the grievance procedure improves the union management relationship.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

5. Filing grievances is seen as a "career breaker" by most employees.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

6. Grievances provide an effective tool to talk to management about workplace problems.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

7. The PSAC is obliged to provide representation on all grievances filed by PSAC members.

1	2	3	4	5
Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree

8. The union doesn't have to represent grievances of "RANDS".

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

9. Mediation is way more effective than grievances for resolving workplace problems.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

10. Grievances strengthen the collective agreement.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

11. We owe a debt to the many grievors who have come before us.

1	2	3	4	5
Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree

Things to Know About the Grievance Process

The grievance procedure is set out in your collective agreement. These provisions set out:

- The types of grievances which can be filed
- The number of steps or levels in the grievance process
- The time limits to initiate a grievance
- The time limits for the employer to respond
- What happens with the grievance if the matter is not resolved at each step

When the grievance cannot be resolved:

Most jurisdictions provide for a third party to hear the case and make a decision. This third party process is known as a grievance adjudication or arbitration.

- The PSLRA **(Public Service Labour Relations Act)** sets out what can be referred to adjudication (Section 209). In a nutshell, a grievance which has been presented up to and including the final level and which has not been resolved can be referred to adjudication if it deals with the interpretation or application in respect of the employee of a provision of a collective agreement and the union agrees with the referral to adjudication. (Please consult Section 209 of the PSLRA for a complete explanation about what can be referred to adjudication.)

- The **Canada Labour Code** sets out that all collective agreements governed by Part I (Industrial Relations) of the Canada Labour Code must contain a provision for the final settlement, without work stoppage, of any differences which relate to the interpretation, application, administration or alleged violation of the agreement. This usually involves referral of the grievance to arbitration.

- Provincial and Territorial labour legislation contain similar grievance provisions.

Stewards and Adjudication/Arbitration:

Stewards do the initial intake of the grievance and provide representation at the first step of the grievance process.

Representation at other steps of the grievance process will likely involve different union representatives. Stewards are not responsible for handling cases which are brought to adjudication/arbitration. Each Component and Directly Chartered Local determines how it structures the representation of grievances filed by their members. However, the grievance file that stewards will have completed will be essential in any adjudication/arbitration hearing.