PSAC Grievance File Checklist

PSAC GRIEVANCE FILE CHECKLIST

GRIEVOR'S NAME: _____

ADDRESS: _____

_____

Town/City Province Postal Code

PHONE (w): _____ (h): _____

APPLICABLE COLLECTIVE AGREEMENT OR BARGAINING UNIT:

_____

SUBJECT OF GRIEVANCE: _____

(If insufficient space, please attach appendix)

ATTACHMENTS	YES	NO	N/A
Copy of legible grievance form (retype wording and attach if not	☐	☐	☐
Copy of legible transmittal form (level 2)	☐	☐	☐
Copy of legible transmittal form (level 3)	☐	☐	☐
Agreement(s) to extend time limits	☐	☐	☐
Appropriate referral notice or form (arbitration/adjudication)	☐	☐	☐
Names & addresses of other parties to be advised of arbitration	☐	☐	☐
Employer's response (level 1)	☐	☐	☐
Employer's response (level 2)	☐	☐	☐
Employer's response (level 3)	☐	☐	☐
Outline of arguments presented at level 1 grievance hearing	☐	☐	☐
Outline of arguments presented at level 2 grievance hearing	☐	☐	☐
Outline of arguments presented at level 3 grievance hearing	☐	☐	☐
List of jurisprudence cited at all grievance hearings	☐	☐	☐
Completed Steward Factsheet	☐	☐	☐
Copy/summary of any settlement offers	☐	☐	☐
Contact with grievor (dates and brief summary)	☐	☐	☐
Copy of all pertinent documents in chronological order (attach a list)	☐	☐	☐
Appendices (attach a list)	☐	☐	☐

EXPLANATIONS FOR BOXES CHECKED "NO" OR COMMENTS

_____

_____

_____

_____

(If insufficient space, please attach appendix)

PSAC Grievance File Checklist (page 2)

TIME LIMITS	DEADLINE DATE	DATE PRESENTED	DATE RECEIVED (by employee)
Presentation of grievance			x
Response at Level 1		x	
Transmittal to Level 2			x
Response at Level 2		x	
Transmittal to Level 3			x
Response at Level 3		x	
Referral to arbitration/adjudication			x

NAME OF UNION REPRESENTATIVE (LEVEL 1):_____

ADDRESS:_____

_____ FAX:_____

TELEPHONE:_____ E-MAIL:_____

SIGNATURE:_____

NAME OF UNION REPRESENTATIVE (LEVEL 2):_____

ADDRESS:_____

_____ FAX:_____

TELEPHONE:_____ E-MAIL:_____

SIGNATURE:_____

NAME OF UNION REPRESENTATIVE (LEVEL 3):_____

ADDRESS:_____

_____ FAX:_____

TELEPHONE:_____ E-MAIL:_____

SIGNATURE:_____

09/2001

Arbitrary, Discriminatory, Bad Faith

Black's Law dictionary, Fifth Edition

Arbitrary

Means in an "arbitrary" manner, as fixed or done capriciously or at pleasure. Without adequate determining principle; not founded in the nature of things; nonrational; not done or acting according to reason or judgement; depending on the will alone; absolutely in power; capriciously; tyrannical; despotic; Corneil v. Swisher County, Tex.Civ.App., 78 S.W.2d 1072, 1074. Without fair, solid, and substantial cause based upon the law, U.S. v. Lotempio, D.C.N.Y., 58 F.2d 358, 359; not governed by any fixed rules or standard. Ordinarily, "arbitrary" is synonymous with bad faith or failure to exercise honest judgement and an arbitrary act would be one performed without adequate determination of principle and one not founded in nature of things. Huey v. Davis, Tex.Civ.App., 556 S.W.2d 860 865.

Discrimination

In constitutional law, the effect of a statute or established practice which confers particular privileges on a class arbitrarily selected from a large number of persons, all of whom stand in the same relation to the privileges granted and between whom and those not favoured no reasonable distinction can be found. Unfair treatment or denial of normal privileges to persons because of their race, age, nationality or religion. A failure to treat all persons equally where no reasonable distinction can be found between those favoured and those not favoured. Baker v. California Land Title Co., D.C.Cal., 349 F.Supp. 235, 238, 239.

Bad Faith

The opposite of "good faith", generally implying or involving actual or constructive fraud, or a design to mislead or deceive another, or a neglect or refusal to fulfill some duty or contractual obligation, not prompted by an honest mistake as to one's rights or duties, but by some interested or sinister motive. Term "bad faith" is not simply bad judgement or negligence, but rather it implies the conscious doing of a wrong because of dishonest purpose or moral obliquity; it is different from the negative idea of negligence in that it contemplates a state of mind affirmatively operating with furtive design or ill will. Stath v. Williams, Ind.App., 367 N.E.2d 1120, 1124.