

Processing the grievance

excerpted from the Steward's Handbook

Writing the Grievance

You are now ready to write the grievance. Refer to the collective agreement. The union may have negotiated the use of special forms to be used. However, if a form is not in use or is not available, a **written grievance presented by letter is equally valid**. Make sure to keep a copy of the letter. As a great deal of documentation will accumulate, it is essential to open a file for each grievance and keep in a secure place.

Forms are simple and self-explanatory. For members who have the Treasury Board as the employer, use the "Grievance Presentation Form" whenever possible. Others should check with the Local Executive to see if a specific form is available for their local.

In writing the grievance, special attention should be paid to the statement of the *Details of the Grievance* and the *Corrective Action Requested*.

Details of Grievance: This statement should be short, simple and to the point. Do not include arguments. Don't limit yourself when citing articles of the collective agreement. Reference to the contract should be general so as not to restrict the adjudicator/arbitrator to the application or interpretation of a single clause or section of the agreement. Since many clauses and sections are interrelated, failure to remain general can cause the case to be lost.

A BAD EXAMPLE:

I am grieving the unfair treatment I have received from our Administrative Officer - Mrs White.

I would like to know why I was not paid overtime for the extra hours I worked June 15th. I started work at 8.30 a.m. and only took my usual lunch and coffee breaks. I did not leave the office until 8.00 p.m. I have witnesses to prove it and am willing to supply their names if necessary. When I approached my supervisor, she told me to take up the matter with the Administrative officer. When I approached Mrs White about it, she was very rude and told me there was nothing she could do about it.

A GOOD EXAMPLE:

I grieve management's refusal to pay me overtime on June 15th. as per Article 00000 and all other related Articles of the collective agreement.

Corrective Action Requested:

Should state precisely what the grievor wants done to correct the situation giving cause to the grievance. Be specific. Make sure to include all the redresses wanted which will make the grievor whole again.

A BAD EXAMPLE:

I request a complete review of the situation, a full explanation and an apology in writing from the Administrative Officer.

A GOOD EXAMPLE:

I request full payment for the hours of overtime worked at the applicable overtime rate and that I be compensated for all benefits applicable to overtime hours.

The Steward signs the grievance in all cases whenever the grievor wishes to be represented by the Union. Approval from the union representative is absolutely necessary in order to proceed with a grievance that relates to the interpretation or application of the collective agreement.

Once the form is completed, the grievance is transmitted to the grievor's immediate supervisor or local officer-in-charge whose responsibility is to provide you with a signed receipt stating the date on which the grievance was received, and who forwards it to management's authorized representative at this level.

Since the Components and the Alliance are constitutionally responsible in matters of grievances, it is important that they be provided with all information pertaining to the grievance. Further to that, they will be required to represent the grievor at higher levels, if the grievance is not resolved at the first level. This reinforces the absolute necessity to document all information and keep an up to date, complete file.

Therefore, it is the Steward's responsibility to forward a copy of the grievance to your Component or directly to the PSAC Regional office for Directly Chartered Locals, along with a copy of all the facts and arguments recorded on the Steward Fact Sheet.

Management's reply to the grievance will be in writing and sent to both the grievor and the union representative for that level. It is the Steward's responsibility to forward a copy of management's written reply to the Component or the PSAC Regional Office.

As a Steward, you should always keep the grievor informed about the status of their grievance.

Transmittal of the Grievance

Transmit the grievance to the next level in the grievance process:

- when management's decision or settlement is not satisfactory to the grievor, or
- when a reply has not been received within the time limits prescribed in the collective agreement, and there have been no mutually agreed time extensions.

The grievance shall be transmitted to the immediate supervisor or local officer in charge whose responsibility is to forward the grievance to management's authorized representative at the appropriate level. Always indicate the name and address of the union representative responsible to represent the grievor at subsequent levels, i.e. Steward, Component officer, PSAC Regional Representative.

The Steward's responsibility is to forward a copy of the letter (form) transmitting the grievance to the Component or to the PSAC Regional Office at each level.

