

Board Role in Grievance Procedure



Reference:

The grievance procedure, for CUPE Local 15 and Britannia is set out in article 15.1 (c) Step 2 of the Collective Agreement.

1. A union representative may advance the grievance to Step 2 by notifying the Board of Directors or designate within fourteen (14) calendar days of the date the Step 1 response was received or was due.
- 2 Upon receiving the notice that the grievance has been referred to Step 2, the Board of Directors or designate and the Union shall make every reasonable effort to meet within twenty-one (21) calendar days of the Union Representative advancing the grievance to Step 2.
3. The Board of Directors or designate will respond in writing within twenty-one (21) calendar days of the meeting.
4. If the grievance is not resolved at Step 2, the Union may advance the grievance to arbitration by advising the Board of Directors in writing within twenty-eight (28) calendar days of the date of the Step 2 response.
5. Prior to making a decision, the Board shall consult with the General Manager – Human Resources of the City of Vancouver.

Similar, though not identical provisions are contained in article 8 of the BCGEU collective agreement.

Role of Executive Committee

The Board of Directors has designated the Executive Committee to hear grievances at step 2.

It is important to keep in mind that this is one step in a larger process. The Executive Committee is not the final arbiter.

Intent

In dealing with a grievance, the Committee should examine the following points:

1. Disciplinary grievance:
 - a) was proper process followed, in accordance with the collective agreement?
 - b) was the management decision leading to the grievance appropriate?
 - c) were any consequences arising from the decision reasonable?
2. Non Disciplinary Grievance
 - a) Step (a) and (b) from Intent no.1 will apply.
3. Note: It is not the Committees role to mediate.

Process

- 1) The Committee hearing the grievance shall be restricted to Executive members.
- 2) At least three (3) Executive members shall hear the grievance.
- 3) Any conflict of interest shall be declared at the outset and that Executive member shall take no further part in the proceedings.
- 4) The Executive members who start the process shall complete it; no members shall join in part way through.
- 5) The Executive Director shall serve as a non-voting Secretary to the Committee.
- 6) All communication with the Union shall be only through the Executive Director.
- 7) Both sides shall be requested to submit any documentation to the Committee at least 72 hours prior to the meeting.
- 8) A meeting shall normally be held with management and union representatives present, except where it is mutually agreed that a meeting is not necessary.
- 9) Prior to the meeting the Committee shall agree upon appropriate guidelines for conduct of the meeting and shall select one of its members to preside.
- 10) The person presiding shall make every effort to keep discussion relevant to the grievance.
- 11) The order of business at the meeting shall be:
 - management presentation and questions
 - union presentation and questions
 - management summary
- 12) The Committee shall make its decision within three (3) days of the date of the meeting.
- 13) Prior to a decision being reached the Committee shall consult with the City of Vancouver, General Manager, Human Resources.

Principles

1. All matters related to a grievance must be dealt with in strict confidence.
2. All Executive members dealing with a grievance must be given the opportunity to be involved at all stages of the proceedings.
3. A decision, once made, is final.

Approved by the Board of Directors April 23, 1997.