

Grievance Policy

Last revised: November 2024

1.0 Collective Agreement

1.1 This policy is pursuant to the grievance process as set out in the current Collective Agreement.

2.0 Carriage Rights

2.1 Under the Labour Relations Code, the VCCFA has sole carriage of grievances and determines the initiation of grievances and their advancement, if any.

Advancement includes whether or not a matter will be advanced to arbitration.

When making this determination, the VCCFA will consider the following:

- a) the likelihood of success based on the facts of the matter, the collective agreement, and the law
- b) the likely expense of the process
- c) the significance of the matter to the member
- d) the significance of the matter to the membership of the VCCFA
- e) the significance of the matter to labour relations, including potential political and employment ramifications

3.0 Definitions

3.1 **Individual Grievance** is a complaint that an action by management has violated the rights of an individual instructor as set out in the collective agreement.

3.2 **Group Grievance** is a complaint that an action by management has violated the rights of a group of instructors (for example, a department) in the same way and at the same time.

3.3 **Policy Grievance** is a complaint that an action by management (or its failure or refusal to act) is a violation of the agreement that could affect all who are covered by the agreement.

4.0 Process

4.1 Any member or group of members can raise an issue for consideration as a grievance.

5.0 Handling of Grievances

5.1 In pursuing an informal resolution at the pre-grievance stage, a member will be supported by a steward.

5.2 Authority to determine the course of and to settle Individual or Group Grievances shall normally reside with the President, Vice-President and Chief Steward working together to reach consensus decisions wherever possible. They may refer such decisions to the Executive.

5.2.1 The President will ensure that members are informed of the course of matters either raised by them or the outcomes of matters within the grievance process.

5.3 Authority to determine the course of and to settle Policy Grievances shall normally reside with the President, Vice-President and Chief Steward working to reach consensus decisions wherever possible. They shall involve the Executive in such decisions.

5.4 The VCCFA executive must approve any withdrawals from the Legal and Arbitration Reserve fund for expenses related to the carriage of grievances, for example for arbitrations, in accordance with Budget Policy 3.5.2.

5.4.1 The Chief Steward will regularly update the Executive on the current state of grievances and what stage they are in.

6.0 Appeals

6.1 If the VCCFA decides not to take up a matter under the grievance process, or decides not to advance a matter further, including not to advance it to the arbitration stage, a member or members affected may appeal to the VCCFA President within 10 business days by submitting a written request and a rationale for the appeal.

6.2 At the next meeting of the VCCFA Executive the member or members affected will have the opportunity to provide a rationale for moving forward with their matter. The Chief Steward will also provide an outline of the facts of the case and a summary of the rationale provided to the member. The executive may also meet with or request documentation from others who have relevant information.

6.3 The Executive will then vote on the appeal. Any Executive members who have a real or perceived conflict of interest, including being in the same department as the aggrieved member, may speak to the appeal but will recuse themselves from the vote. The VCCFA President will issue a written response on behalf of the executive with reasons for the decision. Any final appeal shall be to the membership during a General or Special Meeting.

7.0 Confidentiality

7.1 It shall be the general practice of the VCCFA that names and identifying information of members involved in grievances will be kept confidential. Names will only be discussed with those individuals required to effect a resolution, or when required by law.

7.2 Issues of broader relevance to the membership may be discussed at stewards' meetings, executive meetings, or bargaining caucuses in a way that preserves confidentiality.

7.3 The VCCFA may publish or share information about grievances so long as identifying information is protected, privacy laws and other legal obligations are followed, and confidentiality clauses or other terms of settlement are respected.

8.0 Records

8.1 The VCCFA will keep records of all grievances and their outcomes in an organized and secure manner.