

## **Grievance Committee Policy and Practices**

### **Preamble**

The Grievance Committee is a committee whose membership is appointed according to the procedures established in the LUFA bylaws. The Committee comprises the Chief Grievance Officer, who is also a member of the LUFA Executive, and Grievance Officers, who work under the direction of the Chief Grievance Officer.

The Grievance Committee functions to protect the Collective Agreement for LUFA and its Members. It works to ensure that the provisions of the Collective Agreement are followed and that the members of the Association are treated fairly and consistently in any dealings with the University Administration with issues related to the Collective Agreement.

Specifically, members of the Grievance Committee investigate and attempt to resolve disputes or concerns Members have with the University Administration related to provisions of the Agreement. Further, when necessary, the committee pursues appropriate options in accordance with the provisions of Article 30 of the Collective Agreement.

### **1. The Role of the Grievance Committee is to:**

- 1.1. protect the provisions of the Collective Agreement;
- 1.2. investigate complaints and concerns within the framework provided by Article 30 of the Collective Agreement;
- 1.3. make suggestions regarding policy related to the Collective Agreement;
- 1.4. provide input for proposed changes in substantive clauses of the Collective Agreement;
- 1.5. train Grievance Officers to develop their expertise in handling grievances;
- 1.6. report to the LUFA Executive and Members on a regular basis;
- 1.7. follow the policies and practices of LUFA in all its activities.

### **2. The Chief Grievance Officer undertakes the following responsibilities:**

- 2.1. liaison with legal counsel and the LUFA Executive;
- 2.2. member of the Joint Committee to Administer the Agreement;
- 2.3. investigating and preparing grievances at Step III;
- 2.4. advising LUFA Executive of grievances at Step IV and seeking approval for arbitration;
- 2.5. meeting with Senior Administration of the University to resolve grievances;
- 2.6. signing authority for Minutes of Settlement;
- 2.7. assigning Grievance Officers to cases, providing input for resolutions, and monitoring progress of grievances;
- 2.8. helping to train Grievance Officers to develop expertise in handling grievances;
- 2.9. providing relevant input to the Negotiating Team;

- 2.10. reporting to Members at General Meetings of the Association; and,
- 2.11. proposing the names of incoming Grievance Officers for approval at the final meeting of the Executive each year, in accordance with LUFA bylaws.

### **3. The Grievance Officers undertake the following responsibilities:**

- 3.1. meeting with potential grievors, upon initial contact or following assignment by the Chief Grievance Officer;
- 3.2. reporting initial contacts to the Chief Grievance Officer within three working days;
- 3.3. hearing complaints of Members, advising them of their rights, and determining whether the matter is grievable;
- 3.4. conducting preliminary and prima facie investigations of grievances in order to recommend action to the Chief Grievance Officer;
- 3.5. reporting case progress to the Chief Grievance Officer on a regular basis with reference to the timelines in the Collective Agreement;
- 3.6. maintaining confidential records according to the established procedures and practices of the Committee;
- 3.7. negotiating the resolution of grievances at Step I and Step II;
- 3.8. recommending to the Chief Grievance Officer the negotiated settlement of grievances;
- 3.9. attending disciplinary meetings with a Member, if requested by the Member;
- 3.10. attending meetings as an observer, if requested by the Executive or Chief Grievance Officer;

### **4. Practices and Procedures**

- 4.1. The Committee shall keep minutes of its meetings, though discussions of cases are not minuted.
- 4.2. The Committee shall meet once a term; in addition, special meetings may be called.
- 4.3. All documents of a private and personal nature collected by the Committee during the course of its activities in respect of a case shall be retained by LUFA in a secure location. Grievance Officers may keep notes or records of their investigations while working on a case. These documents are considered confidential and must be kept securely while the case is ongoing. They should not be retained after the Grievance Officer is finished working on the case for the Member.
- 4.4. Original or photocopied documentation submitted by a grievor shall be maintained in individual case files belonging to LUFA. Filing of documentation shall be done as soon as possible after it is received.
- 4.5. Original opinion letters and Minutes of Settlement shall be filed in individual case files retained by LUFA in a secure location. A copy of the Minutes of Settlement shall be lodged with LUFA's lawyer.
- 4.6. All members of the Grievance Committee, including the Chief Grievance Officer, will disclose to the Grievance Committee their vested interest in any case, issue or person with which the Grievance Committee is or will be concerned. A member of the Grievance Committee

shall not participate in any way as a committee member in cases in which he or she is deemed by the Chief Grievance Officer (or the LUFA Executive, in the case of the Chief Grievance Officer) to have a personal conflict of interest or in which other compelling circumstances exist.

4.7. In a grievance situation involving several Members whose interests are not the same, each will be assigned a Grievance Officer, to the degree that this is possible.

4.8. While the Grievance Committee will make its best efforts to offer continuity, it cannot guarantee that the same Grievance Officer will serve throughout the process of a grievance.

4.9. In exceptional circumstances, individuals with previous grievance or conflict resolution expertise may be recruited from outside the committee.

4.10. At the end of a Grievance Committee member's appointment, by mutual agreement with the Member, he or she may be permitted to continue to act as Grievance Officer for those cases for which he or she has responsibility.

4.11. Under the supervision of the Chief Grievance Officer, members of the Committee may approach any level of the administration or other parties in order to facilitate resolution of a case.

4.12. The Chief Grievance Officer shall have independent access to the lawyer designated to act on behalf of LUFA and may allow or request a Committee Member meet with the lawyer and a Member. A Committee Member shall not meet with or contact the LUFA lawyer without such permission.

4.13. Notwithstanding the above, expenditures must be approved by the Executive according to the provisions of the LUFA bylaws. The Grievance Officers may not make any commitment to a grievor for financial aid or legal assistance.

4.14. In grievances with ramifications for association policy or of general concern to the faculty, interpretations of policy must be referred to the LUFA members of the Joint Committee for prior approval.

4.15. Grievance Officers will respect the confidentiality of personal information in the grievance process. Personal information, if any, is presented in camera to the LUFA Executive and, thus, remains, confidential.

4.16. Potential grievors will be provided with the grievance protocol document describing the committee's processes, confidentiality, the requirement for provision of information, and privacy practices. Grievors must sign the document before an official grievance file can be opened.

*Approved by LUFA Executive February 2012.*