



## YEU Grievance Procedure

### Overarching principles

1. Defending the members rights is at the center of the process
2. Everything is not black and white
3. There are more reasons than a breach of the CA to file a grievance, including political strategies, philosophical reasons and other considerations that will need to be taken into account depending on the situation
4. Communications **must** be timely, thorough, respectful and transparent by all parties i.e. member, shop steward, intake, Labour Relations Advisor (LRA)
5. With the members consent once YEU takes carriage of the grievance the shop steward will be included in communications and when possible all meetings between the member and the LRA. If the grievance moves on to a final level or arbitration, with the members consent, the shop steward will be invited to attend the hearings
6. The shop steward shall include the LRA on all communications with the member and keep the LRA informed of any new factors that may impact the grievance.
7. This is a living document and will be amended from time to time as needed

As mentioned earlier defending the members rights is at the center of this process. While protecting the rights of the member, it is also essential that we protect the Local and YEU from a member filing a complaint under the Canada Labour Code or other pertinent legislation (DFR). Provincial Labour Relations Acts or Codes and the Canada Labour Code (for federally-regulated employees) contain many rules for unions. For example, the Alberta Labour Relations Code prohibits unions from engaging in certain practices, such as using strong-arm tactics (“coercion, intimidation, threats, promises or undue influence of any kind”) against employers, employers’ organizations, other unions and employees. For this reason, it is essential that all parties strictly follow process and the steps

outlined. If a DFR was to be filed, the body that has carriage of the grievance at the time will be responsible for any costs associated with the process i.e. initial grievances, Local; final level, Component.

Grievances by their very nature can be quite emotional, frustrating and complicated. Emotions can run high and disrespectful behaviour is often the result.

If a member or a shop steward has a complaint about how the YEU is proceeding with a grievance they must contact the Executive Director of YEU and discuss their concerns. If resolution or satisfaction is not obtained then the matter shall be brought to the YEU President or Vice Presidents. If a staff member of YEU has a complaint arising from their interactions with either the member or the Shop Steward their concerns must be brought to the Executive Director who will then share the concerns with the YEU President or Vice President. Repeated incidents by any party will be dealt with as outlined in the YEU or Local by-laws and any pertinent Collective Agreements.

## The Process for Individual Grievances

As the Shop Steward, if a member you are working with wants to file an individual grievance, these are the steps to follow.

1. Contact YEU's Intake Officer to outline the issue, employer, work area, the date the event occurred, and any other relevant information regarding this grievance. The Intake Officer will refer you to the appropriate YEU Labour Relations Advisor (LRA). There is now an online fillable intake form that can also be used. The "summary" section can be used by the shop steward to draft grievance language if you are comfortable doing so.
2. The LRA will review the information you provided to the Intake Officer and attempt to respond in 24hrs, or as soon as possible. You will receive a response within 5 business days. Any delays will be communicated immediately. If there are extenuating circumstances, i.e. timelines, availability of the member etc. please communicate that in the initial intake. The email from the LRA will include:
  - a. Their opinion as to whether they see a reasonable chance of success for the grievance, based on their review of collective agreement language, relevant legislation, case law, past practice, or other considerations
  - b. Language for the grievance form (or amendments to the language already drafted by the Shop Steward if appropriate)
  - c. A grievance number.
3. Following this email, you will determine with the member whether to file a grievance.
4. If you decide to file, you will file the grievance with the appropriate employer representative, and provide a copy to the LRA
  - a. (for YG grievances, the LRA will file the grievance with the Public Service Commission on your behalf as per the agreed-upon process with the employer).

## Following your Level 1 meeting you will:

1. Decide with your member if the grievance is resolved, or if you are filing it to the next level (unless your collective agreement only has 2 levels of grievance, in which case you should see below: Final Level Grievance)
2. If you are continuing the grievance, within 2 business days of the meeting you must:
  - a. File the grievance form to the appropriate employer representative,
  - b. Email the LRA with the signed off grievance form, date you filed to Level 2, and notes from the Level 1 meeting.

## Final Level Grievance

1. Following the grievance meeting, you will decide with your member if the grievance is resolved, or if you wish to continue to the final level grievance within the employer.
2. If you wish to continue the grievance, within 2 business days of the meeting you must:
  - a. Complete and submit a Final Level Grievance form to the LRA, with all documents included. This purpose of this form is to ensure the LRA gets all relevant information to properly understand the grievance, evidence, facts, and why it's important to proceed.
3. Following receipt of the form and documents, the LRA will review the information, and contact you and the member to discuss the grievance, the member's goals, and possible outcomes.
4. The LRA will then make a decision whether or not to continue to the final level within the employer.
  - a. If their decision is to continue, the LRA will file to the final level within the employer
  - b. A decision not to continue will only be made in consultation with the Executive Director or in their absence, the YEU President. The member will be informed, and have the opportunity to provide more information or explanation for the grievance.

5. The LRA will keep the member and Shop Steward (if authorized by the member) apprised of the progress of the grievance, settlement discussions, and hearing dates.
  - a. The Shop Steward may attend the hearing as an observer if the member authorizes it.