



## Policy Grievance

**Grievor's Name:**

Windsor University Faculty Association

**FILE: GR# 0929**

**CA referenced:**

2014-2017

**Type of Grievance**

Policy

**1. Nature of Dispute**

Full-time positions created outside the union to perform bargaining unit work and/or individuals outside of bargaining unit performing bargaining unit work. The full particulars of such work are within the knowledge of the University and will require full disclosure by it.

**2. Section (s) of Agreement Violated**

Article 3, and any other articles that may apply.

**3. Facts of the Case**

The University has created a number of full-time positions in various categories across campus in which WUFA's bargaining unit work, as defined in the Collective Agreement and through past practice, has been and/or is being performed by individuals who are not members of the bargaining unit.

**4. Remedy Sought**

- (1) A declaration that the position and/or work being performed outside of the bargaining unit is contrary to the Collective Agreement;
- (2) An order that the persons performing the bargaining unit work cease such performance and that the positions and work immediately be placed into the bargaining unit and be filled/performed in accordance with the Collective Agreement;

- (3) An order that all affected members of the bargaining unit be compensated retroactively for all lost salary, benefits, pension contributions, seniority and all other rights that would have been due or accrued under the Collective Agreement had the work and positions in question been performed by the affected bargaining unit members.
- (4) An order for damages for the University's breach of contract including but not limited to making WUFA whole for all lost dues;
- (5) Such further and other remedy to make the affected members and WUFA whole in any and all other ways.

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## Progress

**Step 1** n/a

**Step 2** n/a

**Step 3** Delivered/Mailed to: Associate VP Academic Affairs on:

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Signature of VP Grievance

October 8, 2015

Date

c.c. Faculty Association