What if I'm not satisfied with the decision of the Grievance Committee?

If the Grievance Committee decides not to proceed with a grievance at any step, you have the right to appeal its decision to the Executive Committee at WUFA within seven working days of receipt of the letter from the Grievance Committee indicating the decision.

Similarly, if the Grievance Committee decides not recommend that a grievance go to arbitration, you have the right to appeal its decision to the Executive Committee. In the event the Executive Committee upholds the decision of the Grievance Committee, you have a further right of appeal to Faculty Council.

If the Executive Committee or Faculty Council votes to support your appeal, they will instruct the Grievance Committee to resume the case and you will have full representation by the Faculty Association as the case goes forward to the next stage.

Steps in the Grievance Process

Informal discussion is always encouraged between a member and his/her Head /Dean/Director/Assoc. Univ. Librarian before a grievance is launched. A WUFA rep can attend this informal discussion. If no resolution is found, the member must write to WUFA within 15 days, asking to proceed to Step 1 in the grievance process.

Step 1: A confidential meeting with the department head, WUFA Grievance Officer and grievor is held to determine if a settlement can be reached. A report is produced by the Grievance Officer, which is used by the Grievance Committee to decide if the case is to go forward to the next level. If the grievor is not satisfied with the result of the Step 1 meeting, or no resolution is forthcoming, the grievor must write to the Faculty Association within a further 10 working days to indicate his/her request to proceed to Step 2. The Grievance Committee makes decision on whether or not to proceed. If so, a written grievance will be prepared.

Step 2 : Confidential discussion with Dean or Univ. Librarian, VP Grievance and member to determine if resolution is possible. Grievance Committee decides if case to go forward to next level.

Step 3 : Confidential discussion with Associate VP, Academic and VP Grievance in an attempt to reach a settlement. Member does not attend meeting. Grievance Committee decides if case is to be recommended for Arbitration if no settlement is reached.

Arbitration: The Executive Committee decides whether a case should be taken to arbitration. Member attends arbitration, WUFA provides legal counsel and hearing results are available publicly. Most arbitration cases begin approximately 1-2 years after the Step 3 meeting has been held. Arbitration hearings can last several months. The decision of the Arbitrator is final and binding on all parties.

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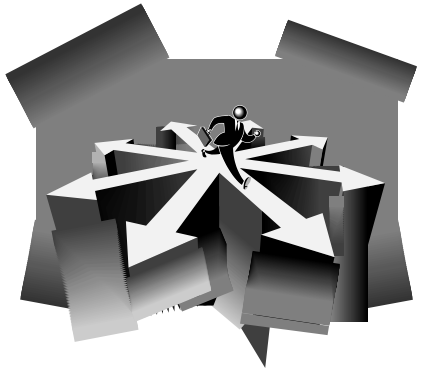
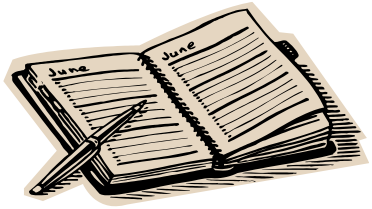
UNIVERSITY OF WINDSOR
FACULTY ASSOCIATION

The Grievance Process



A summary for WUFA Members

How the Grievance Process Works



(The intent of this summary is to provide an overview of how grievances are handled by the Faculty Association. For precise contract language, please refer to Article 39 in the Collective Agreement.)

1. If you have a complaint or concern relating to your terms or conditions of employment, call the Faculty Association office, ext. #3366. You are welcome to discuss your issue with WUFA staff or Association members to determine if your concern appears to be a violation of the Collective Agreement.

2. All members are encouraged to have an informal meeting with their department head/director/Assoc. Univ. Librarian about the issue. A WUFA rep can be requested to attend this informal meeting.

If there is no resolution, the member must write to the Faculty Association within a further 15 days to request a Step 1 grievance meeting. A Grievance Officer will be assigned to assist with the complaint.

3. After discussing your concern with the Grievance Officer, he/she will arrange a Step 1 meeting with the Department Head/Director/Assoc. Univ Librarian, or, in the case of non-departmentalized faculties, with the Dean. The Grievance Officer accompanies the grievor to the Step 1 meeting, usually within 20 days of notification.

As a grievor, you are entitled to be present at the meeting and ask questions.

4. The Step 1 meeting in the grievance procedure is meant to be a fact-finding process. WUFA encourages all grievors to attend the Step 1 meeting. The Grievance Officer will write a report about the meeting and submit it to the Grievance Committee in order for them to make a decision on whether or not to proceed with the grievance. The grievor is entitled to see a copy of this report.

5. If the complaint is not satisfactorily resolved it is the member's responsibility to contact the Faculty Association within 10 working days and advise in writing that you wish to continue with the grievance. The Grievance Committee will review the Step 1 report and determine if a formal grievance should be written up. If so, the Grievance Committee will prepare the written grievance for your review, based on the violation of the Collective Agreement. They will ask the grievor to sign a form acknowledging the rights of the grievor in the grievance process, and agree that the union takes ownership of the grievance. A sample of the form, outlining the information required by the Grievance Committee, is available at the Association office.

If the Grievance Committee decides that there is no violation of the Collective Agreement, the Committee may ask the WUFA Executive to informally assist the member by another method.

6. In some instances, the Grievance Committee may want to speak directly with the grievor for additional details about your grievance. If so, you will be contacted to attend a meeting. The grievance must, in its final written form, be approved by the Grievance Committee before it is sent to the Dean for discussion at a Step 2 meeting. You have the right to attend the Step 2 meeting. The grievance will be sent in advance of the meeting to the Dean by the VP, Grievance.

7. If the response of the Dean at or following the Step 2 meeting is not satisfactory, or the deadline for a response has lapsed, the Grievance Committee will consider whether to move the grievance to Step 3—discussion with the VP Academic. If there is agreement to proceed, the VP Grievance will meet with the VP, Academic. The member does not attend this meeting but will be advised of the outcome.

8. In the event there is no resolution reached at Step 3, the Grievance Committee will decide whether to recommend that the grievance be taken to arbitration. This recommendation must be approved by the Executive Committee of the Faculty Association. At each step throughout the grievance process, the member will be advised on the status of his/her grievance.

ALL INDIVIDUAL GRIEVANCES REMAIN CONFIDENTIAL WITH WUFA UNTIL ARBITRATION.

MEMBERS ARE FREE TO DISCUSS THEIR OWN PERSONAL GRIEVANCES WITH ASSOCIATES IF THEY WISH.

MEMBERS MUST EXHAUST THE GRIEVANCE PROCEDURE BEFORE CONSIDERING PERSONAL LEGAL ACTION AGAINST THE UNIVERSITY FOR EMPLOYMENT-RELATED ISSUES CONTAINED WITHIN THE COLLECTIVE AGREEMENT.