

## Grievance Procedures

### Objectives of Grievance and Arbitration Processes in Employment

- Resolve problems internally
- Check and balance
- Alternative to self-help
- Emotional release
- Monitor mood of organization
- Enforce agreement appropriately
- Clarify contract language

## Grievance Management

- Complaint
  - Indication of employee dissatisfaction
- Grievance
  - A complaint formally stated in writing
- Grievance Procedures
  - Formal channels used to resolve grievances.
  - Union representation (Weingarten) rights
- Grievance Arbitration
  - Means by which a third party settles disputes arising from different interpretations of a labor contract.

## Steps in a Typical Grievance Procedure



## Handling Grievances

- Have another member of management present.
- Avoid taking a position on the matter.
  - You are trying to determine what occurred and what remedy is being requested
- Document all conversations regarding the grievance.
- Expect it to go to the next level.

Sample  
Grievance Procedure

<p><u>Step 1</u> <b>Informal – Verbal</b> <b>Employee discusses grievance with immediate supervisor</b> (may include Union Steward) <b>Note: Document what took place in the meeting in the event it is not resolved and it goes to the next step in the grievance procedure.</b></p>	<p><u>Step 1b</u> <b>Formal – Written</b> If not satisfactorily resolved with oral response from immediate supervisor: <b>Employee submits Grievance in writing on Grievance Form) within three (3) work days to the Division Supervisor who has five (5) work days to respond in writing</b></p>
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<p><u>Step 2</u> If not satisfactorily resolved at Step 1, grievance is to be submitted to the appropriate Department Head (within five (5) work days after the written response is due from the Division Supervisor). <b>Grievance is to be presented in writing counter-signed by the Local President or his designee. The Department Head is to respond in writing within five (5) work days of submission by the Union.</b> (A meeting may be requested by either party to be held within the time limits of the response due date.)</p>	<p><u>Step 3</u> If not satisfactorily resolved at Step 2, grievance is appealed by the Union to the Director of HR/LR in writing (within seven (7) work days after the Department Head's response is due) <b>Grievance Appeals Meeting will be scheduled to review appealed grievances no less than once per month. An answer to the grievance will be submitted within (10) work days after the meeting.</b></p>
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<p><u>Step 4</u> If not settled by the parties at Step 3, <b>the grievance is appealed to an Arbitrator within the specified time limits.</b></p> <p>The arbitrator holds a hearing and renders a decision which the parties are bound by.</p>
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## Grievance General Principles

- Respond within the time specified in contract
- Collect relevant documentation
- Be consistent
- Be objective: Stick to the facts
- Ask questions and listen carefully
- See their point of view

- ❑ Receive the grievance
- ❑ Take responsibility
- ❑ Review the grievance
- ❑ Seek clarity
- ❑ Investigate and Collect Documentation

- ❑ Employee History Form
- ❑ Overtime records
- ❑ Manpower/Line Up Sheets
- ❑ Formal communications to employees
- ❑ Sign-in logs for training programs
- ❑ Call off logs
- ❑ Attendance Records

- ❑ Grievance Forms
- ❑ Fact Sheets
- ❑ Meeting Notes
- ❑ Local or Dept. Agreements
- ❑ Investigation Notes
- ❑ Upgrade records
- ❑ Pictures, Maps, Blueprints
- ❑ Video

### Grant

- ❑ Document the outcome
- ❑ Advise necessary resources

### Deny

- ❑ Formally deny the grievance
- ❑ Explain why you denied the grievance
- ❑ Advise necessary resources
- ❑ Keep documentation and investigation file

### Extension

- ❑ Request Extension from Union
- ❑ Do additional investigation if necessary
- ❑ Organize your documentation
- ❑ Reschedule the meeting
- ❑ Settle or deny the grievance