



HOLY FAMILY ROMAN CATHOLIC SEPARATE SCHOOL DIVISION NO. 140

OPERATIONS AND PROCEDURES

CATEGORY: HUMAN RESOURCES

TITLE: GRIEVANCES

CODE: 4101 Grievances

Reference Matrix	
Education Act (1995)	Section 85
Other Relevant Acts	<i>Local Implementation and Negotiations Committee(LINC)</i>
Holy Family Related Procedures	
Holy Family Related Manuals	Holy Family RCSSD No. 140 Board of Education Policy Manual
Resources (Ministry, SSBA, SCSBA, etc.)	<i>The Provincial Collective Bargaining Agreement, SEIU-West Collective Agreement</i>
Date Processed	October 12, 2016

Background:

Any employee who feels he or she has a grievance of a serious nature concerning his or her contract, welfare, or other divisional matter shall have the right to place the grievance before the Board of Education.

The Board would desire that all employees could work in harmony. Should a circumstance develop where an employee has a grievance, the overarching goal would be to reconcile the differences within the spirit of the Holy Family RCSSD No. 140 Vision, Mission, and Guiding Principles.

Procedures:

1. A grievance includes any disagreement with respect to the meaning, application, or violation of the LINC agreement, provincial agreement, teacher-board contract, SEIU-West agreement or other employment contract. This includes interpretation and implementation of Board Policy.
2. Grievance by a teacher:
 - 2.1. This procedure provides a guide. Grievance procedures in the Provincial Agreement and the LINC Agreement shall take precedence.

- 2.2. Teachers are to endeavor to settle grievances through appropriate administrative channels before approaching the Board.
- 2.3. Grievances, which cannot be settled in the above manner, should be brought to the attention of the Board of Education in writing before any other action is initiated. The written statement is to contain evidence that steps under section 2.2 have been taken.
- 2.4. The Board of Education will strike a Grievance Committee that is to consist of five members: two appointed by the Holy Family Teachers Association, two appointed by the Board of Education, and the Director of Education.
 - 2.4.1. Upon written notification, the Grievance Committee shall meet within fifteen (15) teaching days to consider the grievance.
 - 2.4.2. The Board is to render a decision within ten (10) teaching days of receiving the recommendation from the Grievance committee.
 - 2.4.3. The Director of Education will convey the decision of the Board to the teacher within five (5) days of the meeting.
- 2.5. If the grievance is not resolved to the satisfaction of the teacher(s), the teacher(s) may refer the grievance for disposition under the provisions of *The Education Act*.
- 2.6. At any point during these grievance procedures, either party may be represented by counsel.
3. Grievance by a non-teaching employee governed by a collective agreement:
 - 3.1. Procedures for grievances are outlined in the collective agreement.
4. Grievance by any other employee:
 - 4.1. Employees are to endeavor to settle grievances through appropriate administrative channels.
 - 4.2. Appeals shall be made within thirty (30) days of the occurrence that caused the grievance.
 - 4.3. Within the context of the forgoing, the steps to be followed in connection with any appeal being made shall be as follows:
 - 4.3.1. Step 1
 - 4.3.1.1. The grievance shall be discussed with the employee's immediate supervisor. The employee may choose to include a representative for support.

4.3.2. Step 2

4.3.2.1. If, following this discussion, a settlement satisfactory to the employee is not reached; the employee may submit a written grievance to the Director of Education. Such written grievance must:

- 4.3.2.1.1. Be submitted within a period of five (5) days following the discussion in 4.3.1.1;
- 4.3.2.1.2. Be submitted if the employee wishes to further address this grievance;
- 4.3.2.1.3. Specify the nature of the grievance and the circumstances out of which it arose;
- 4.3.2.1.4. Specify the section or sections of the Agreement or policy (if any) infringed upon, or claimed have been violated.

4.3.3. Step 3

4.3.3.1. The employee will provide a written record of the results of the discussion in Step No. 2 for submission to the Director of Education.

4.3.3.2. The Board of Education will strike a Grievance Committee that is to consist of five (5) members: two acceptable to the employee, two appointed by the Board of Education, and the Director of Education.

4.3.3.3. The Grievance Committee is to render a decision within fifteen (15) working days of receiving the written notice.

4.3.3.4. The Board is to render a decision within ten (10) working days of receiving the recommendation from the Grievance committee.

4.3.3.5. The Director of Education will convey the decision of the Board to the employee within five (5) days of the meeting.

4.4. If a grievance has not advanced to the next step within the specified time limit in each step set out above, it shall be deemed to be settled on the basis of the decision given at the previous step and all rights of further recourse to the grievance procedure shall be at an end.

5. This section does not preclude referral of a matter to a Board of Arbitration by groups covered by *The Trade Union Act*.