

Standard Language for frequently filed grievances

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Standard Language for frequently filed grievances

Acting Pay

Grievance Wording:

I grieve the failure of my employer to grant me acting pay on _____ as per article _____ of the _____ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That my employer compensates me appropriately for work performed and all other redress appropriate to the circumstances.

Classification

Grievance wording:

I grieve the classification of my position.

Corrective action:

That my position be reclassified upwards and all other redress appropriate to the circumstances.

NOTE: Classification grievances can only be triggered by two events:

1) Revision of job description by employer or 2) Successful job description grievance.

Standard Language for frequently filed grievances

Discipline

Administrative Suspension without pay

* This wording can be used for suspension during security investigation, suspension linked to the vaccination policy or any other suspension without pay for administrative reasons

Grievance Wording:

I grieve my employer's decision to suspend me without pay received on _____ (date). I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That the suspension be rescinded;
That I suffer no loss of pay and benefits for this period;
That any and all documentation related to this suspension be removed from my personnel file and any other employer file and be destroyed in my presence and/or that of my Union representative; and all other redress appropriate to the circumstances.

Written reprimand, suspension, etc.

Grievance Wording:

I grieve the _____ (disciplinary act – written reprimand, suspension, etc.) _____ of (date) as per article _____ of the _____ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That my employer withdraw the discipline dated _____ and all other redress appropriate to the circumstances.

Termination

Grievance Wording:

I grieve my employer's decision to terminate my employment effective _____ as per _____ article of the _____ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That I be reinstated without loss and all other redress appropriate to the circumstances

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Discrimination

Grievance Wording:

I grieve my employer's failure to provide a workplace free from discrimination as per ___ article of the _____ collective agreement on the basis of _____ (drop down menu of options) _____. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That my employer provides a workplace free from discrimination and all other redress appropriate to the circumstances.

Duty to accommodate

Grievance Wording:

I grieve my employer's failure to accommodate me to the point of undue hardship as per _____ article of the _____ collective agreement on the basis of _____ (drop down menu of options) _____. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That my employer provides me with proper accommodation and all other redress appropriate to the circumstances.

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Health and safety

Grievance Wording:

I grieve the employer's actions that have put my health and safety at risk on or about _____ (enter date(s)) as per article _____ of the _____ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That the employer ensure I have a healthy and safe environment to work in and all other redress appropriate to the circumstances.

Job content

Grievance Wording:

I grieve the employer's failure to provide me with a complete and current statement of duties and responsibilities. This violates Article _____ (Statement of Duties) of the _____ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That the duties be added to my statement of duties in order to meet the requirements of Article _____ (Statement of Duties) of my collective agreement and all other redress appropriate to the circumstances.

NOTE: List the duties you wish to have added to your job description, and any proof that you might have that demonstrates that you perform these duties on a regular basis. Do not attach this list to your grievance, rather give it to your Union Representative for presentation at the grievance hearing.

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Leave

Grievance Wording:

I grieve the failure of the employer to grant me ___ (Enter type of leave requested) ___ leave on ___ (Date leave was denied) as per ___ (enter article number) ___ article of the ___ (enter which collective agreement) ___ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That my employer grants me the leave requested and all other redress appropriate to the circumstances.

NJC Grievance

Grievance Wording:

I grieve the failure of my employer to compensate me for _____ as per the intent and spirit of the NJC Directive on _____.

Corrective action:

That my employer reimburses the above cited expenses in full and all other redress appropriate to the circumstances.

Standard Language for frequently filed grievances

Pay (holiday pay, overtime, etc.)

Grievance Wording:

I grieve the failure of my employer to compensate me appropriately for work on or about _ (enter date(s)) _ as per article _____ of the _____ collective agreement. I reserve the right to raise any other pertinent articles of the collective agreement.

Corrective action:

That my employer compensates me appropriately and all other redress appropriate to the circumstances.

Phoenix grievances

Pay issues

Grievance wording:

I grieve that I have not been remunerated appropriately as outlined on Pay Action Request (PAR) #(s) _____, _____, and _____ submitted on _____, _____. (Copies attached). This is contrary to Article 65 - Pay Administration, Appendix A-1, and any other relevant articles of the Collective Agreement (if related to overtime pay or allowances, list those articles).

Corrective Action:

To be compensated appropriately, and all other redress appropriate to the circumstances.

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Recovery of overpayment

Grievance wording:

I grieve the Employer's request that I repay a Phoenix overpayment for which I received notice on _____.

This is a violation of Article XX – pay administration and all other relevant articles and a violation of the *Crown Liability and Proceedings Act*.

Corrective Action:

A declaration that the Employer has breached the collective agreement;

That I am provided with a thorough breakdown of the overpayment;

That the Employer immediately stops recovery of the overpayment;

That the overpayment be deleted;

That the Employer reimburse any funds it has recovered thus far, with interest;

That I be compensated for pain and suffering experienced as a result of the Employer's actions;

That I be compensated for the Employer's willful and reckless actions;

That the filing of this grievance does not prejudice me in any future dealings with the Employer;

That I be made whole;

Any other redress deemed appropriate.

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Violence in the workplace - Harassment

*It is important to know the difference between personal harassment and discriminatory harassment before choosing the proper grievance wording. Personal harassment grievance can and should be used **only** for incidents where there is **no discrimination based on one of the prohibited grounds found in the collective agreement or the Canadian Human Rights Act (Personal harassment)**. If the harassment is discriminatory, an discrimination grievance should be filed. It should be noted that personal harassment is not adjudicable, which means that the grievance process stops at the third level and cannot be sent forward to arbitration.*

Personal harassment:

Grievance wording:

I grieve the Employer's failure to provide me with a violence-free workplace, contrary to the employer's policies and legislation. I further grieve that the Employer has failed to address known instances of violence in the workplace and bullying, failed to follow internal policies to address, remedy, and prevent further incidents from occurring.

Corrective action:

- That I have discontinued contact with the responding party of the violence against me until such time as there is a satisfactory and acceptable resolution to this matter;
- That the responding party be appropriately counseled and be required to attend sensitivity and technical training on the Violence in the Workplace Policy and Regulation;
- That I be compensated and reimbursed for all loss of wages, leave credits used, and medical and/or other expenses incurred as a result of this incident (these incidents);
- That the employer take all reasonable and appropriate measures to promote and ensure compliance with its Violence in the Workplace Policy and Regulation;
- That I be provided with further redress, as deemed reasonable and appropriate in the circumstances, in order to make me whole.

***With respect to corrective action, we suggest that corrective action will likely need to be tailored to the individual circumstances of the case, but offer these suggestions as some of the measures that may be sought.**

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Discriminatory harassment

Grievance Wording:

I grieve the Employer's failure to provide me with a violence-free workplace, contrary to _____ article of the _____ collective agreement on the basis of ___ (drop down menu of options) ___, the employer's policies and legislation. I further grieve that the Employer has failed to address known instances of violence in the workplace and bullying, failed to follow internal policies to address, remedy, and prevent further incidents from occurring.

Corrective action:

That I have discontinued contact with the responding party of the violence against me until such time as there is a satisfactory and acceptable resolution to this matter;

That the responding party be appropriately counseled and be required to attend sensitivity and technical training on the Violence in the Workplace Policy, CHRC, and Regulations;

That I be compensated and reimbursed for all loss of wages, leave credits used, and medical and/or other expenses incurred as a result of this incident (these incidents);

That the employer take all reasonable and appropriate measures to promote and ensure compliance with its Violence in the Workplace Policy, CHRC, and Regulations;

That I be provided with further redress including a workplace free from discrimination, as deemed reasonable and appropriate in the circumstances, in order to make me whole.

****With respect to corrective action, we suggest that corrective action will likely need to be tailored to the individual circumstances of the case, but offer these suggestions as some of the measures that may be sought.***

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Telework

Grievance Wording:

I am grieving the employer's denial of my telework request. This is a violation of Letter of Agreement with Respect to Telework and the Directive on Telework

Corrective action:

That the employer grants my telework request, and all other redress appropriate to the circumstances.