

Topic: Some Initial Information about Grievances

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Hello Mount Royal Faculty Association members,

During the beginning and end of each semester the Association receives an increase in questions about how to initiate a grievance, what exactly can be grieved, and what the implications are of a grievance. With these inquiries in mind, the Association wanted to highlight some helpful information about grievances and the grievance process.

I. What can be grieved?

A “grievance” generally refers to a disagreement, a dispute, or concern that a person has against another. A fictitious example might be that Bob has a grievance with Carl because Carl is eating of smelly tuna sandwich in the lunchroom.

However, within our workplace, a “grievance” holds a more technical definition where the disputed element must relate to a violation of an item or topic covered in the Collective Agreement or applicable pieces of legislation. This means that the Board of Governors (“the Employer”) and the MRFA (“the Association”) are the only parties who can be grieved since they are signatories to the collective agreement. To be clear, an individual member can initiate a grievance, but an individual member cannot have a grievance brought against them.

If you are uncertain about whether your situation is a potential grievance, contact the Association. As always, the Association is ready to meet and discuss your workplace concerns with you and to outline possible pathways for addressing the concern. Please feel free to email LabourRelations@mrfa.net.

II. How to Initiate a Grievance-Step One

Step One of the grievance process is the first opportunity for members, the Association, and the Employer to formally address a grievance concern. A member has a right to initiate a Step 1 grievance at any time they perceive a violation of the collective agreement has taken place. To initiate a step one, the member must provide a written notice (typically an email) to their Dean with a copy to the MRFA President. From there, the Collective Agreement outlines the different steps to resolve a grievance ultimately through an interest arbitration. You can find a detailed description of the grievance process on the MRFA website at <https://mrfa.net/member-support/the-role-of-the-mrfa/grievance-process/>

Note: Step 1 grievances must be initiated within fifteen (15) working days of knowledge of the act causing the violation.

Implications of a Grievance

The Association often receives concerns from members that a grievance could affect their standing or continued work within the University. With this in mind, the Association notes that no member can experience retribution for bringing forward a grievance in good faith. And

should a member be denied workload, opportunities, and/or experience bullying for initiating a grievance, these negative things would be grounds for a grievance.

On the positive side of things, grievance offer a pathway to solve workplace concerns and because of the Association's participation allows for the leveling of power imbalances between Employer/Employee. Often it is the case that grievances are resolved at Step 1 allowing for the workplace to return to a dispute free setting.

For Chairs

The Association has observed that Chairs often find themselves in a difficult situation when a grievance is initiated since Chairs are members of the MRFA but also their position also has managerial roles. The Association understands this dual role and highlights the point that only the actions of the Employer, that is to say the Dean, can be grieved.

Throughout the Collective Agreement the Employer, typically the Dean, is positioned to either explicitly or tacitly approve the action of the Chairs and Committees within their Faculty. Should a dispute develop, it is innately between the Employer and the Association, with a Chair participating as a witness, not as a respondent. Should Chairs become involved in a grievance process, either as a grievor or as a Chair, the Association is available for support and advice.

For Contract Employees

Contract Employees hold the same rights as Full-time Employees to initiate a grievance when they perceive a violation of the Collective Agreement has occurred. The Association recognizes that precarious nature of contract work may make filing a grievance difficult. The Association is always available for confidential discuss concerns members might have within the workplace. And remember, since the right to initiate a Step 1 grievance belongs to an individual member, the Association would not initiate a grievance without the consent of affected member.

Grievances are often seen as a failure of individuals but really they show where contract language is unclear or where better training and understanding is require. The Association is committed to providing resources and support members and invites members to let us know where more resources are necessary as questions develop. Check out the website where we continue to add new resources such as these advisories. And if there's something missing, contact the [MRFA Office](#) so that we can address the questions and/or develop any missing resources.