



Grievance Workshop Held

Sisters and Brothers,

During the week of February 20th Union and employer representatives held a workshop at the Union hall in an effort to tackle the backlog of outstanding grievances. Your Union had been repeatedly requesting that the parties commit to freeing up resources to work on the grievance backlog, as there is an unmanageable number of grievances in the grievance procedure.

In fact, in a letter dated November 20, 2015, to former HR manager, Tanya Meyer, your Union stated:

“Since the new Executive was elected this past May the issue of the number of outstanding grievances has been discussed on numerous occasions by the parties. There appeared to be a common understanding that the number of grievances in the grievance procedure was untenable. The necessary resources required to process the well over 400 grievances in the system, it was mutually acknowledged, were putting a strain on both organizations’ ability to focus on fostering harmonious labour relations. In short, much time and effort was being spent on preparing and presenting (and in the employer’s case, denying) grievances, many of which are ultimately advanced to arbitration.”

More time and effort should have been spent by the employer on *resolving* grievances rather than pushing them to arbitration.

The letter then concludes:

“As pointed out by arbitrator Larsen, it could take a decade to have a grievance heard at arbitration. To our members, this is wholly unacceptable. As there are still about 22 months until the expiry of the collective agreement, the parties do have some time to engage in a collaborative attempt to address the number of outstanding grievances in the system.

However, if significant progress has not been made in this regard prior to the commencement of collective bargaining in 2017, the Union will have no choice but to table all outstanding grievances – our members’ issues - to be resolved as a condition to reaching a new collective agreement by the expiry of the contract.”

The membership has always made it clear that the number of outstanding grievances must be made a priority in 2017 bargaining.

Previously, regular meetings known as “pre-arbitration discussions” would be held between the parties where a number of grievances advanced to arbitration would be reviewed in an effort to resolve them. From these discussions, the grievances to be heard at the next set of arbitration dates would also be decided. This was one way the parties would historically manage the backlog of grievances.

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However, back when things were “normal” the grievance committee members were assigned to day shift jobs, supernumerary to their assigned crew requirements, which allowed them to attend meetings with the employer or be freed up to work on grievances at the Union hall. The employer, in its wisdom, has since placed your grievance committee members into regular shift jobs which has made it extremely difficult for them to get released as a committee from their work assignments to address your issues. This, your Union feels, is one of the main reasons why the number of outstanding grievances has ballooned to almost 500. You should be well aware of all the other reasons!

Fast-forward to recent weeks...

Grievance committee members were working at the Union hall the week prior to the workshop reviewing and debating the merits of many grievances, to be tabled for further discussion with the employer during the week of the workshop, not unlike the process used during pre-arbitration sessions.

It is important to note that the Union’s internal grievance vetting procedures require a full three-person committee to decide on whether a grievance is resolved, withdrawn or taken to arbitration. In addition, affected members and stewards are to be kept up to date throughout the process.

During the week of the workshop it was this internal Union process which had the employer somewhat frustrated, but the employer came to understand that under the Union’s obligations to due diligence and the duty of fair representation under the Labour Code, there is no way to fast-track the processing of grievances.

By the end of the week, approximately 200 grievances were discussed with the employer – nearly one half of all grievances on the grievance list.

In addition, your Union presented a number of grievance files which were not assigned grievance numbers, which has been an ongoing issue. These grievances will be assigned numbers and added to the grievance list in order to ensure accuracy in accounting for all grievances.

While a number of issues had to be placed aside to be addressed in either bargaining or at arbitration, there were a significant number of “tentative agreements” reached, subject to the Union contacting grievors and shop stewards.

In the coming days and weeks grievance committee members will be contacting many of you to discuss these tentative agreements with recommendations and/or directives.

As part of the employer’s ongoing commitment to improving labour relations globally further rounds of grievance discussions will be held in the weeks and months leading up to and during collective bargaining. Given the significant resources dedicated by the employer to the grievance workshop, this is a positive first step.

As you can imagine, it will more than likely be a high priority in bargaining for your Union to achieve stronger contract language in guaranteeing that your grievance committee is available to regularly conduct the important work of addressing your issues, and on improving the grievance system as a whole.