



GRIEVANCES

The *Public Service Labour Relations Act (PSLRA)* provides for three different types of grievances: individual, group and policy grievances.

INDIVIDUAL - This type of grievance is much like the grievance under the former *Public Service Staff Relations Act*. Employees may file a grievance with their employer when they feel wronged because they believe that their collective agreement has not been properly administered or as a result of some event that would affect their terms and conditions of employment. In these collective agreement situations, it is a requirement that the union indicate its support for the grievance to go forward.

The new *PSLRA* has not presented many changes regarding an employee's ability to refer a grievance to adjudication. Adjudication is limited to disputes involving:

- a) the interpretation or application of a collective agreement or arbitral award;
- b) disciplinary action resulting in termination, demotion, suspension, or financial penalty;

Employees can file grievance involving issues under the *Canadian Human Rights Act*, except in relation to pay equity, and be awarded monetary relief as provided under the Act. The Canadian Human Rights Commission (CHRC) is entitled to be notified of such grievances and can make submissions to an adjudicator.

GROUP - This is a new type of grievance. When a number of employees in the same department or agency believe that their collective agreement has not been administered correctly, they can ask their union to file a group grievance on their behalf. Each one of those employees must sign his or her agreement to representation by the union. As with the individual type of grievance, it is a requirement that the union indicate its support for the grievance to go forward. If the response received by the deputy minister is not satisfactory, the employees can ask the union to refer the grievance to the Board for a hearing and decision.

POLICY - The *PSLRA* also allows either the union or the employer to file a "policy grievance". A policy grievance must relate to an alleged violation of the collective agreement which affects the employees generally.