

What exactly is a grievance?

A grievance occurs when a Union member believes that the Employer has violated part of the Collective Agreement, and chooses to pursue a formal resolution. Grievances are the normal way in which problems are solved in a unionized environment.

A “grievance” is the term for any formal negotiation between the Employer and the Union that occurs to solve a dispute over what the Collective Agreement means and how it should be applied. Grievances can be filed on behalf of an individual or a group, and can address a wide range of issues.

Grievances happen in all Departments, and are more frequent than you might think. Details of grievances are kept confidential, so there have likely been other grievances in your Department that you aren’t aware of.

How you may be feeling

When your rights as a Union member are violated, it is common to feel stress, anxiety, uncertainty, fear or even anger. Nobody wants to go through the grievance process; however, sometimes grievances are necessary to ensure that you receive the work, pay, and benefits to which you are entitled. You’re not alone!

What kinds of grievances are there?

Many kinds of issues are grievable. For example:

- a job was not properly posted
- you were not offered work that you applied for, even though you were the most qualified candidate
- you have been unfairly suspended or discharged
- you are being harassed or intimidated at work
- you are being overworked

Grievances at CUPE 3902 fall into 6 broad categories: individual, group, policy, hiring, suspension/discharge, and harassment.

A Union representative will be happy to talk with you and help you understand what category your grievance would fall into.



How the process works

To file a grievance, the Union writes a letter on behalf of the Union member, who is now called a “grievor,” to the “Employer,” or the relevant academic Department. This letter identifies the part of the Collective Agreement that the Union believes has been violated, and suggests an appropriate remedy.

After this letter has been written, it is followed up with a series of meetings between the Union and the Employer. These meetings often lead to a resolution that both the Employer and the Union/grievor accept.

If the grievance is not resolved after a set number of meetings (usually 3), it may be referred to an arbitrator. An arbitrator is a neutral, third-party referee who will make a decision about whether the grievance is valid, and how it should be resolved.

If you decide to file a grievance, you will have the Union’s support throughout the entire process. A Union representative will draft the necessary documents, help you understand and meet the relevant deadlines at the different stages of the process, and attend meetings with you.

For detailed information about the grievance process, contact the Union office.

How long do I have to file a grievance?

A grievance must be filed within a set amount of time after the relevant issue occurs. Usually, grievors have 40 working days to file a grievance; however, some types of grievances have shorter deadlines.

For example, a Unit 3 hiring grievance must be filed within 15 working days and a suspension/discharge grievance must be filed within 5 days.

In general, the sooner you bring a problem to the Union, the better. If you are having a work-related issue, talk to the Union as soon as possible.

What are the possible outcomes?

informal resolutions

Sometimes, a grievance isn't necessary. When there is a problem in your Department and you have notified the Union office, a phone call from a Union representative or an informal meeting with the Department Chair will often be enough to resolve the problem. In the past, this route has been very successful.



formal resolutions

Unfortunately, it is sometimes necessary to go through the grievance process to resolve an issue.

However, the good news is that the majority of grievances are decided in favour of the grievor. For example, most hiring grievance resolutions either offer pay in lieu of the work that you should have been offered, or a guaranteed appointment in the next term.

Who is here to help me?

The first place to go is your Department Steward or the Grievance Steward for your division. Contact information for Stewards can be found on our website at:

www.cupe3902.org/people/stewards/

You can also contact the **Grievance Officer** directly at **416.460.3902** or **grievance@cupes3902.org**

**For general information about
CUPE 3902, visit our website:
www.cupe3902.org 416-593-7057**

**or drop by our office:
180 Bloor St. W, Suite 803
(across from the ROM Crystal)**

Guide to the Grievance Process for Teaching & Assistants Sessionals

at the
University
of
Toronto

university of toronto



education workers