



Subject	DISPUTE RESOLUTION PROCEDURES (formerly titled "6.04 Grievance or Redress Process")		
Procedure Section	9 Service and Seniority		
No.	9.04		
Exempt Employment Policy References			
Collective Agreement References	Faculty FPSE Com. Agreement Vocational BCGEU Com. Agreement (Faculty & Voc'l) Support	Article 37 (Grievance Procedure) Expedited Arbitration (Article # to be announced, TBA) Article 53 (Grievance Procedure) Expedited Arbitration (Article # TBA) Article 74 (Grievance Procedure)	
Forms & Other Reference Material			
Status of Approval	Approved	08-May-2013	Chris Rawson

PREAMBLE:

The College's employment policies and collective agreement(s) provide for dispute resolution procedures for employees on matters related to their terms and conditions of employment. Those documents identify specific processes, timelines and representation rights and should be referred to for information on complaints and grievances.

This procedure is intended to outline what a supervisor/dean/director/manager should do on receiving a concern from an exempt employee or a grievance from a bargaining unit employee. .It is also outlines the responsibilities of the Human Resources Division.

PROCEDURE:

Exempt Employees

1. Complaints regarding an exempt employee's terms or conditions of employment, except as noted in the exempt employment policies, are to be discussed with the employee's designated supervisor.
2. The designated supervisor is responsible for making written notes of the time, date and details of the discussion.
3. If the matter is not resolved, the exempt employee, the designated supervisor, or both may discuss the matter with the Director, Human Resources.
4. The Director, Human Resources will attempt to facilitate a resolution to the issue.
5. If the Director, Human Resources is unable to facilitate resolution, the exempt employee may submit a written appeal to the Management Review Committee through the Director, Human Resources.
6. The Management Review Committee will render a decision which shall be final and binding.

Bargaining Unit Employees

1. When a supervisor/ dean/ director/ manager receives a formal grievance regarding the alleged violation of a term or condition of employment he/she will make a written note as to the time, date and method of receipt. He/she should consult with the Director, Human Resources as soon as possible.
2. Should a meeting with the employee and their union representative be scheduled, the Director, Human Resources or designate, will be invited to attend this and all subsequent meetings.
3. The OC representative at Step 1 of the grievance/redress process is the employee's supervisor/ dean/ director/ manager, who is required to provide a written response to the employee. The Director, Human Resources or designate, will assist the supervisor/ dean/ director/ manager in drafting the required grievance response.
4. The OC representative at Step II of the grievance process is the Director, Human Resources.
5. Once a grievance is referred to arbitration, the Human Resources Division is responsible for:
 - a. selecting a mutually agreeable arbitrator,
 - b. scheduling arbitration date(s)
 - c. advising the applicable supervisor/dean/director/manager of the date of the arbitration
 - d. preparing and representing the College at expedited arbitration hearings, or
 - e. briefing legal counsel and
 - f. in consultation with legal counsel, preparing witnesses, and attending arbitration hearings in conjunction with legal counsel for non-expedited hearings.

Human Resources may also make final recommendations to the Executive on whether or not to proceed to arbitration.

6. Human Resources Division is also responsible for:
 - a. identifying whether the issue in a grievance has potential sectoral implications,
 - b. discussing grievances of this nature with the Post-Secondary Employer's Association (PSEA), and,
 - c. where PSEA decides to take carriage of the dispute, working with PSEA and legal counsel selected by PSEA, with the scheduling of arbitration dates and the preparation of witnesses
 - d. at PSEA's request, a representative of the Human Resources Division may be in attendance at the arbitration hearing of grievances filed at the College with sectoral implications