

### Grievance #1 - Job Content

I grieve the employer's failure to provide me with a complete and current statement of duties and responsibilities. This violates Article \_\_\_\_ (Statement of Duties) of my collective agreement.

#### **Corrective Action:**

That the duties be added to my statement of duties in order to meet the requirements of Article \_\_\_\_ (statement of Duties) of my collective agreement. (You should list the duties you wish to have added to your job description, **do not attach this list to your grievance, rather give it to your Union Representative**).

#### **Acting Pay Grievance:**

If you wish to increase your chances of getting the desired effective date, an acting pay grievance should be filed at the beginning of the process. This grievance should be put on hold pending the statement of duties and classification review/grievance process.

### Grievance #2- Salary

I grieve that the employer is not paying me appropriately for the duties I am performing. I am asked to perform the duties of a higher position. As a result, the employer is not following the provision of Article \_\_\_\_ (Pay Administration) of my collective agreement.

#### **Corrective Action:**

That I be paid in accordance with my collective agreement for the performance of the duties mentioned above, retroactive to the date on which performance of these duties began.

#### **Classification Grievance:**

Not Adjudicable, for more information, please contact your local union steward or President.

Finally you should file a classification grievance seeking a reclassification of your position. Classification grievances deal only with the classification decision, that is, the assignment of points to a statement of duties. It does not deal with the contents of the statement of duties. After filing this grievance with the employer, it should be held in abeyance until the outcome of the statement of duties grievance is known. If the statement of duties changes, then a new classification decision will be made which will be subject of this grievance.

### Grievance #3- Classification

I grieve the classification of my position.

**Corrective Action:**

That my position be reclassified upwards.  
For your classification grievance you will need to forward to the responsible Local Union Representative the following:

- A copy of the job description signed by the employer
- The point rating for the position
- The organization chart showing the position in question
- A copy of the grievance form complete address and phone numbers
- any other document relevant to the classification issue

**Avoiding the Pitfalls for OPS Employees**

Generally there two major barriers to succeeding with these grievances:

**"Tainted" grievance wording**

Pay is adjudicable, classification is not. You should **NOT** use the word "classification" in your acting pay or statement of duties grievances, if you do there is a very serious risk that an adjudicator will decline jurisdiction on the grounds that to accept jurisdiction would be to interfere with the off-limits subject of classification. Classification decisions are considered a management right which is not subject to the scrutiny of a third party. Similarly, if "appointment" to the higher classification at an earlier date is requested, the adjudicator will decline jurisdiction..

**Grievance #4- Termination**

I grieve the letter of termination of employment dated (Insert Date) signed by ( Insert Name of the Employer Representative and Job Title). Consultation is requested with my Union Representative on this grievance at the final level of the grievance procedure.

**Corrective Action:**

I request that the above-noted letter be immediately withdrawn, all copies destroyed in my presence, reinstatement without loss of pay and benefits and that I be made whole.

**Grievance #5- Suspension**

I grieve the letter of suspension dated (Insert Date) signed by (Insert Name of Employer Representative and Job Title). Consultation is requested on this grievance with my PSAC Representative.

**Corrective Action:**

I request that the above-noted letter be immediately withdrawn, all copies destroyed in my presence, reinstatement without loss of pay and benefits and that I be made whole.

**Corrective Action:**

I request that the organization pay me all of my entitlements under the (Name the NJC Directive Here.)

NOTE:

A Local Union Representative has to sign this grievance to approve its presentation as an alleged violation of the collective agreement between the PSAC and Treasury Board. All NJC-endorsed Directives form part of the collective agreements between the PSAC and Treasury Board.

### **Grievance #7- Performance Review**

I grieve the contents of my employee performance review (also known as an employee appraisal) dated (Insert Date Here) signed by (Insert Name of Employer Representative here) for the (Beginning Date) and (End Date) review period. Consultation is requested on this grievance with my OPSEU Representative.

#### **Corrective Action:**

I request that the above-noted employee performance review and all copies be withdrawn and destroyed in my presence.

#### **Optional:**

I request that a different employee performance review document be completed for the above-noted review period which more accurately explains my actual job performance which was at least Fully Satisfactory for this review period.

Note: Instead of filing a grievance to challenge an employee performance review (employee appraisal), a member may decide instead to prepare his/her own employee performance review for the period in question and ask to have it placed on his/her employee appraisal file. This way those who consult the appraisal file can form their own opinion as to the actual job performance for the review period in question. If this course of action is chosen, the member should follow-up to ensure their document is actually placed on their appraisal file.

### **Grievance #8- Harassment**

I grieve that I have not been provided with a harassment-free work environment as is required by both my collective agreement and the employer's policies. My allegations in support of this grievance will be provided after I have had an opportunity to consult with my OPSEU representative. Consultation is requested on this grievance with my OPSEU Representative.

#### **Corrective Action:**

I request that appropriate disciplinary action be taken against the Respondent(s), that I be immediately provided with a harassment-free work environment, and that I be made whole.

### **Grievance #10- Duty to Accommodate**

I grieve that the employer is discriminating against me contrary to the (appropriate article) of the collective agreement as well as any and all other related or applicable articles, acts and policies.

**Corrective Action:**

That my employer respect my collective agreement in its entirety.

That my employer cease discriminating against me immediately and provide me with the requested accommodation up to undue hardship.

That I be made whole.