



SIMON FRASER UNIVERSITY
Policies and Procedures

Date
April 1, 1999

Number
AD 10.17

Revision Date

Revision No.

Problem Resolution

2. General Policy Statement

2.01 The University recognizes that there may be occasions when an Employee, a group of Employees or the APSA Executive considers the interpretation, application or administration of AD 10 policies to be unjust, inequitable or injurious and grounds for concern. Policy Complaints and Individual Grievances brought under Policy AD 10.17 will be resolved fairly and quickly.

2.02 No Policy Complaint or Individual Grievance will be deemed to be invalid or abandoned due to a minor technical irregularity.

3. Policy Complaint

A Policy Complaint may be initiated by an EmployeeC-n06ediscuss and attempt to come ~~understanding~~ **understanding** about the nature and intent of the Policy, regulation, practice, working condition or lack thereof.

- b. Step 1 could include any other appropriate resource person who would provide further information about the issue being discussed.
- c. If the Complainant is not satisfied at the conclusion of the meeting, a written document will be prepared by the Complainant and sent to the APSA Executive for its consideration.

4.02 Step 2: APSA Executive Decision

- a. If the APSA Executive, in consultation with the Complainant, determines it is appropriate for JUAC to address the issue, the Policy Complaint will move to the next step of the Policy Complaint Procedures.
- b. If the APSA Executive determines that it is not appropriate for JUAC to address the issue, the Executive may advise the Complainant that an Individual Grievance could be the appropriate procedure to follow. See Section 6.

4.03 Step 3: JUAC Meeting

- a. At the next regular meeting of JUAC, the Policy Complaint will be brought forward and JUAC will attempt to resolve it.
- b.

- c. Implementation of a change to a Policy will follow JUAC procedures as per the Basic Agreement and Policy AD 10.1 Section 5.03 (d).

5. Individual Grievance (See also Individual Grievance Time Line)

5.01 Time limits and other requirements for the performance of this Individual Grievance procedure may be extended and/or amended by mutual consent of the parties.

5.02 APSA and the University will maintain a list of four mutually agreed upon Mediators who, if requested, will assist the Grievor and the Respondent involved in the Individual Grievance to reach resolution. APSA and the University will also maintain a list of four mutually agreed upon Arbitrators who will make a binding decision on matters submitted to them. The lists of Mediators and Arbitrators will be randomly listed and will be selected in order of listing.

5.03 Any Individual Grievance involving discipline may begin at Step 2 (see Section 6.02).

5.04 At any time during the Individual Grievance, the Grievor may opt out of the process upon written notice to all parties involved.

5.05 APSA may in its discretion by resolution of its Executive, provide such support, financial and otherwise, as it considers appropriate to a member of the Administrative and Professional Staff Association advancing to Step 3 or Step 4 of the Individual Grievance. From time to time, the question of representation/support may be taken to the APSA membership.

5.06 If the Grievor does not have the representative or financial support of APSA and elects to proceed with the Individual Grievance to Step 3 or Step 4, he/she will be responsible for any costs incurred in relation to Step 3 and/or Step 4.

6. Individual Grievance Procedures

6.01 Step 1: Informal Meeting

- a.

documentation within five (5) working days to the Respondent, the Executive Director, Human Resources and the President of APSA stating

- i. the nature of the Individual Grievance and the circumstances from which it arose,
 - ii. the provisions of the AD 10 Policy(ies) that the Grievor alleges have been misinterpreted or violated,
 - iii. the remedy sought.
- e. Prior to responding in writing and within five (5) working days of receipt of the written documentation, the Respondent may suggest an additional meeting take place with the same parties in an attempt to resolve the problem.
- f. The Grievor will have five (5) working days to decide whether to attend a second Step 2 formal meeting or, after consultation with the APSA Executive concerning representation and financial support, to advance to Step 3 or Step 4 by forwarding a letter of intent to the Respondent, the Executive Director, Human Resources and the President of APSA. If the Executive Director, Human Resources is the

iv. Whenever possible, University facilities will be used.

b. Arbitration

i. After hearing the facts of the dispute, the Arbitrator will render a binding decision that is precedent setting. The Arbitrator will not be empowered to add to, subtract from, alter or amend the AD 10 Policies.

ii. The Grievor and the Respondent may be represented by legal counsel.

iii. The fees and expenses of the Arbitrator will be shared equally between the University and APSA. If the APSA Executive does not agree to financially support the Individual Grievance to Step 4, the Grievor will share the fees and expenses of the Arbitrator with the University.

iv. Whenever possible, University facilities will be used.

c. Attendance at Proceedings

i. An Employee will be permitted time off to attend Arbitration proceedings that he/she is directly involved in whether as a Grievor or as a Respondent.

ii. An Employee will be permitted time off without pay to attend Arbitration proceedings that he/she is directly involved in whether as a witness, or APSA representative.