

# Managing the Grievance Process

## Workshop Outline

### Workshop Description

This workshop prepares managers in British Columbia’s health care facilities to effectively handle grievances, manage the grievance process and prepare for arbitrations. It focuses on the responsibilities of management in each of the three steps associated with the grievance procedure and provides an overview of third-party processes for resolving disputes.

### Workshop Goals

After completing this workshop, participants will be able to do the following:

- Describe the grievance process and its impact in the workplace
- Understand the collective agreement language associated with the grievance and arbitration/adjudication process
- Effectively investigate, respond to and resolve grievances
- Prepare for and attend arbitrations
- Follow-up for and attend arbitrations

### Workshop Length

1 day

### Topics/Learning Objectives

Topic	Learning Objectives
The Grievance Process and its Impact in the Workplace	<ul style="list-style-type: none"> <li>• Define a grievance</li> <li>• Describe the positive and negative impacts of grievances in the workplace</li> <li>• Describe cost implications associated with the grievance/arbitration process</li> <li>• Describe who the stakeholders are and what each of their roles is in the grievance process</li> <li>• Explain the rights of management in the grievance process</li> <li>• Describe the steps of the grievance process as outlined in the four collective agreements</li> </ul>
Understanding the Situation	<ul style="list-style-type: none"> <li>• Describe management behaviours and communication skills that help managers understand their employees</li> <li>• Identify actions a manager should take when an issue is raised</li> <li>• Determine what is and is not a Step 1/Stage 1 grievance meeting</li> </ul>

Topic	Learning Objectives
	<ul style="list-style-type: none"> <li>• Identify the perspectives of the stakeholders in a grievance</li> <li>• Ask appropriate questions to gather information</li> <li>• Explain why it is important to start to gather and document information early in the process</li> <li>• Identify examples of documentation of Step 1 meetings</li> <li>• Complete a Chronology of the Incident</li> <li>• Complete a Grievance Status Log for tracking the grievance</li> </ul>
Grievance Meetings	<ul style="list-style-type: none"> <li>• Prepare for the grievance meeting</li> <li>• Outline tips for conducting an effective grievance meeting</li> <li>• Develop a follow up or action plan subsequent to the grievance meeting</li> </ul>
Investigating the Grievance	<ul style="list-style-type: none"> <li>• Describe the importance of proper investigation at every stage of the grievance process</li> <li>• Create and update an investigation plan</li> <li>• Gather and review information</li> <li>• Explain how to interpret the application of the challenged clause in the collective agreement</li> <li>• Perform a critical analysis of the investigation data and form a conclusion</li> <li>• If gaps or discrepancies are identified, update the investigation plan and gather/review additional information to address the gaps</li> </ul>
Responding to the Grievance	<ul style="list-style-type: none"> <li>• Explain the importance of responding to a grievance in a timely manner</li> <li>• Provide an appropriate written response to the grievance</li> </ul>
Exploring a Resolution	<ul style="list-style-type: none"> <li>• Determine if a case should be considered for settlement</li> <li>• Identify options for resolving a grievance</li> <li>• Assess the cost/benefit analysis of the grievance process</li> <li>• With assistance from your HR Department and/or HEABC determine whether to settle or proceed to arbitration</li> <li>• Assess whether resolution is possible without a hearing</li> <li>• Document the results of the resolution</li> <li>• Follow-up on the resolution to ensure its implementation is timely</li> </ul>
Third Party Processes	<ul style="list-style-type: none"> <li>• Explain the purpose of arbitration</li> <li>• Identify the three forms of third-party intervention as outlined in the collective agreements</li> <li>• Identify other forms of third party intervention</li> <li>• Outline steps the employer should take after a hearing</li> </ul>