**STATEMENT OF POLICY AND PROCEDURE**

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Reviewed: 2020/02/21 | Revised: 2020/05/23 | **Effective: 2020/02/29**

**SECTION 1 - 3.Q APPENDIX W**

**GRIEVANCES**

Although we seek to provide a workplace in which all employees feel that they are an important part of the Northern Lights Library System (NLLS) and where employees feel fairly treated, there may be times when ~~you have~~ a dispute ~~with a co-worker~~ between employees and management~~, supervisor, or NLLS~~ ~~which can best be~~ must be resolved through a formal procedure for dispute resolution. Disputes between an existing employee and NLLS are to be resolved ~~by~~ in accordance with the following procedure. ~~Please note, however, that~~ NLLS reserves the right to apply ~~modify~~ this policy and its procedure ~~at any time~~ in its sole discretion.

1. General
	1. Any current employee may file a grievance related to conditions of employment, workplace harassment ~~from other employees~~, occupational health and safety issues, or other employment related issues.
	2. A former employee who has resigned, or whose employment has been concluded by NLLS, is not permitted to file a grievance under this policy.
	3. Nothing in this policy prohibits an employee, or former employee, from seeking remedies available under the Employment Standards Code, the Alberta Human Rights Act, ~~or~~ the Occupational Health and Safety Act, ~~or~~ any other employment related legislation, or from involving ~~commencing~~ the courts ~~proceedings~~.
	4. NLLS strives to ~~recognizes the importance of~~ maintain~~ing~~ confidentiality, impartiality, and fairness throughout ~~in~~ ~~respect to, and during,~~ the grievance process.
	5. All matters related to a grievance shall be kept confidential to the extent ~~reasonably~~ possible. However, ~~so as~~ to allow sufficient and proper investigation into a grievance ~~when required~~, absolute confidentiality cannot be guaranteed. Investigation into a grievance shall involve the aggrieved ~~parties to~~, and those named in the grievance, as well as others who may have relevant information regarding the grievance.
	6. ~~Accordingly,~~ ~~When an employee files a grievance, it is important and expected that the employee submits their grievance only to the individuals expressly identified in this policy for each respective Level of adjudication~~ A grievance will be filed in the following order:
		1. Level 1 adjudicator – immediate Supervisor or Department Manager,
		2. Level 2 adjudicator – Executive Director,
		3. Level 3 adjudicator ~~- and/or grievances that relate to the Executive Director –~~ Chairperson of the Grievance Committee.

Grievances related to the Executive Director begin at level 3. An employee who fails to strictly comply with the foregoing may be subject to disciplinary action, up to and including termination of employment.

* 1. The ~~applicable level~~ adjudicator for each level will be the individual~~(s)~~ responsible for rendering a written decision. ~~at the levels outlined in Part 2 of this policy.~~
	2. The involvement of witnesses will be at the discretion of the ~~applicable level~~ adjudicator.
	3. An employee who files a grievance ~~in good faith~~ under this policy shall not be subjected to any retaliatory action from any party. ~~adverse or negative treatment as a result of filing the grievance. No employee shall take retaliatory action against a grievor, and/or other individual(s), in attempt to dissuade, deter, or punish the grievor, and/or other individual(s), from participating in the grievance process.~~ Disciplinary action, up to and including termination of employment, may result for any ~~such~~ retaliatory action.
	4. An employee who files a frivolous or vexatious grievance, or a grievance in bad faith, (as determined by NLLS) may be subject to disciplinary action, up to and including termination of employment.
	5. If the Executive Director is ~~or will be,~~ absent from work for more than one (1) consecutive week ~~an extended period~~ ~~of time~~, their ~~Executive Director~~ ~~may appoint a temporary~~ designate ~~for the purpose of~~ has the authority to administer~~ing~~ this policy. ~~during such absence from work.~~

1. Procedure

# Level 1

1. The employee shall, before taking any other steps, ~~informally and verbally~~ discuss the matter with their immediate

Supervisor ~~or Department Manager~~. Formal grievances ~~filed in writing to their immediate supervisor~~ ~~or~~

~~Department Manager~~ will not be accepted~~, reviewed, or adjudicated under this policy~~ until the matter is ~~informally and verbally~~ discussed with their immediate Supervisor ~~or Department Manager~~. If the matter is informally resolved by the involved parties, no further action(s) will be taken. Otherwise;

1. ~~Failing satisfaction of the grievance matter at Level 1(a), the grievor~~ the aggrieved shall formally file a grievance in writing, ~~in~~ using ~~the form attached to this Policy as~~ Appendix W, to their immediate Supervisor ~~or Department Manager~~ within ten (10) working days of the conversation with their supervisor that did not produce an agreeable resolution. ~~initial event that brought about the grievance.~~
2. A grievance filed after ten (10) working days of the initial conversation with their Supervisor must begin again at step A before a formal grievance may be submitted. ~~event that brought about the grievance shall not be accepted, reviewed, or adjudicated under this Policy. An employee waives their right to submit or advance a grievance that is filed after 10 working days of the initial event that brought about the grievance.~~
3. The immediate Supervisor or ~~Department~~ Manager shall render a written decision regarding the grievance within ~~a reasonable time.~~ ten (10) working days.

# Level 2

1. Failing satisfactory resolution of the grievance under Level 1, the grievor shall submit the grievance in writing to the Executive Director within five (5) working days after receipt of the grievance decision from the employee’s immediate Supervisor or ~~Department~~ Manager.
2. A grievance submitted to the Executive Director more than five (5) working days after the grievor’s receipt of the grievance decision from the employee’s immediate Supervisor or Department Manager shall not be accepted, further reviewed, or further adjudicated. ~~under this Policy.~~ ~~A grievor waives their right to further advance a grievance that is submitted to the Executive Director more than five (5) working days after the grievor’s receipt of the grievance decision from the employee’s immediate Supervisor or Department Manager.~~
3. The Executive Director shall meet with the grievor to discuss the grievance. The Executive Director shall also meet with any parties to~~, and those named in,~~ the grievance. If required, the Executive Director shall perform an investigation into the grievance. In addition to interviewing the parties to~~, and those named in,~~ the grievance, the Executive Director’s investigation may include interviewing others who may have relevant information regarding the grievance. The Executive Director will review and consider all available information and documentation that is relevant to the grievance.
4. The Executive Director shall render a written decision within ten (10) working days. ~~a reasonable time~~.

# Level 3

1. Failing satisfactory resolution of the grievance under Level 2, the grievor shall submit the grievance in writing within five (5) working days after receipt of the Executive Director’s grievance decision to the Chairperson of the Grievance Committee.~~, on behalf of the Grievance Committee.~~
2. A grievance submitted to the Chairperson of the Grievance Committee more than five (5) working days after the grievor’s receipt of the grievance decision from the Executive Director shall not be accepted, further reviewed, or further adjudicated. ~~under this Policy.~~ ~~A grievor waives their right to further advance a grievance that is submitted to the Chairperson of the Grievance Committee more than 5 working days after the grievor’s receipt of the grievance decision from the Executive Director.~~
3. The Executive Director will provide the Chairperson of the Grievance Committee with all information and documentation relevant to the grievance ~~that has been obtained~~, for the review and consideration of the ~~which the~~ Grievance Committee ~~will review and consider~~.
4. The Grievance Committee shall meet with the grievor to discuss the grievance. The Grievance Committee shall also meet with any parties to the grievance.
5. The Grievance Committee shall render a written decision within twenty (20) working days. ~~a reasonable time~~.
6. The written grievance decision of the Grievance Committee is final ~~and binding~~, subject to any applicable statutes.

# Grievance Against Executive Director

1. If an employee’s grievance relates to the Executive Director, the grievance will proceed directly from Level 1 to Level 3. Accordingly, the employee shall formally submit a grievance in writing, using ~~in the form attached to this Policy as~~ Appendix W, to the Chairperson of the Grievance Committee within ten (10) working days of the initial conversation with the Executive Director. ~~event that brought about the grievance.~~
2. A grievance relating to the Executive Director that is submitted to the Grievance Committee more than ten (10) working days after receipt of the grievance decision from the Executive Director ~~the initial event that brought about the grievance~~ shall not be accepted, reviewed, or adjudicated. ~~under this Policy. A grievor waives their right to submit or advance a grievance that relates to the Executive Director that is submitted to the Grievance Committee more than 10 working days after the initial event that brought about the grievance.~~
3. The Grievance Committee shall meet with the grievor and ~~to discuss the grievance. The Grievance Committee shall also meet with~~ the Executive Director separately to discuss the grievance. ~~If required, in addition to interviewing the grievor and the Executive Director, the Grievance Committee may further investigate the matter, which may include interviewing others who may have relevant information regarding the grievance.~~ The Grievance Committee will review and consider all available information and documentation including interviewing relevant parties. ~~that is relevant to the grievance.~~
4. The Grievance Committee shall render a written decision within twenty (20) working days. ~~a reasonable time.~~
5. The written grievance decision of the Grievance Committee is final ~~and binding~~, subject to any applicable statutes.

3. Resolution of Grievance

1. If the grievor agrees with a written grievance decision, they shall sign the decision in acknowledgment that the matter is resolved. ~~. the written grievance decision, indicating that they agree with the grievance decision and that they consider the grievance resolved.~~
2. A copy of the grievance and the written grievance decision(s) will be ~~sealed and~~ placed in the grievor’s personnel file, as well as the personnel file of other parties to the grievance~~, if any~~.
3. ~~A copy of the grievance and the written grievance decision(s) will be sealed and placed in the employee(s) file indefinitely however after three (3) years they will not count towards employee progressive discipline.~~ Written grievances do not constitute disciplinary action although it may be recommended as part of the decision, see Sec 1, 1P Performance Management.
4. ~~If a grievor files a formal grievance but it is resolved prior to a written decision being rendered, a copy of the grievance will be placed on the grievor’s personnel file along with a written acknowledgment from the grievor that the grievance was satisfactorily resolved.~~

4. Grievance Committee

1. The Grievance Committee will consist of 5 members:
	1. NLLS Vice Chair
	2. Four (4) Members of the NLLS Board (one from each zone/non-Executive)
	3. Each Zone shall appoint an alternate.
2. The Chairperson of the Grievance Committee will be chosen by its 5 members, from among its 5 members.

# NLLS Executive Board Chair

May 23, 2020

**Date of Approval**

# APPENDIX W – Grievance Form

