Developing Effective Labour Relations Skills: Understanding the Grievance Process

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ABSTRACT

The grievance process provides a formal mechanism for dealing with worker-management disputes arising from the application of negotiated collective agreements. This paper examines the literature describing the direct and indirect functions of the grievance process, grievance procedure language, and arbitration. Some of the unique features of labour relations and the grievance process in the public sector are also reviewed. Pharmacy Managers are encouraged to improve their personnel management skills by developing a greater understanding of the grievance process. A number of recommendations are provided to assist the Pharmacy Manager in the handling of grievances.

Key Words: grievance process, labour relations, collective agreements, unions, arbitration.

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RÉSUMÉ

La procédure de règlement des griefs assure un mécanisme formel entre l'ouvrier et l'administration pour traiter les disputes dues à l'application des conventions collectives négociées. Cet article étudie la documentation décrivant les fonctions directes et indirectes de la procédure de règlement des griefs, de son langage et de l'arbitrage. Quelques caractéristiques uniques des relations de travail et de la procédure de règlement des griefs dans le secteur public sont aussi passées en revue. Les directeurs des pharmacies sont encouragés à améliorer leur compétence dans le domaine de l'administration du personnel en développant une plus grande connaissance de cette procédure. Plusieurs recommandations sont faites afin d'aider le directeur de la pharmacie à résoudre des griefs. Mots clés: la procédure de règlement des griefs, rela-

tions de travail, conventions collectives, syndicats, arbitrage.

INTRODUCTION

The grievance process is an essential feature of the industrial relations activity within an organization. The effectiveness of labour-management contract administration after the negotiation of a new collective agreement is frequently assessed using various grievance resolution measures. The grievance process is an important element of the collective agreement which establishes a structured framework for the definition and handling of rights disputes in order to maintain and enhance a cooperative, productive and peaceful industrial relations climate within an organization. Other indirect functions of this procedure, such as those relating to broader union or management objectives have been described

in the literature.

Many hospital pharmacy managers in Canada supervise employees within a unionized environment. Collective bargaining rights have been given to large groups of pharmacists, pharmacy technicians and support staff in Canadian hospitals.1

In British Columbia, all pharmacists employed in public hospitals are

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members of the Health Sciences Association of British Columbia (HSA) union while all nonprofessional pharmacy staff are members of the Hospital Employees Union (HEU). Except for a few pharmacy department heads in some of the larger hospitals in the province, all pharmacy directors are members of the HSA bargaining unit. In addition to pharmacists, the HSA represents laboratory and radiology technologists, dietitians, social workers, occupational and physiotherapists, health record administrators and a number of other paramedical occupational groups. The Health Labour Relations Association (HLRA) is the employer's representative for British Columbia (B.C.) public hospitals to bargain collective agreements with all hospital unions. These negotiated master agreements cover wages, hours, and working conditions of employment.

This paper is intended to provide pharmacy managers and supervisors with an overview of the grievance process including its functions, usual components of the grievance procedure, contract language and grievance filing factors. A number of suggestions are also provided to guide managers and supervisors in the handling of grievances. A greater understanding of the grievance process should assist those with pharmacy management responsibilities in improving their labour relations skills.

The absence of a unionized environment does not preclude the establishment of formal employee dispute handling procedures.² Bohlander and White have reported on a survey of grievance systems in place in 12 non union Phoenix, Arizona hospitals.³ The essential features of dispute resolution in union and non union settings are quite similar although the availability of third party arbitration is not common in

Function	Basic Purpose	Examples	
Direct	Resolution of disputes involving the collective agreement	Seniority determination, Promotion, Wage rates, Discipline	
Indirect	Communication/Information	General worker discontent	
	Problem Solving	Identifying vague contract language to correct in future contract negotiations	
	Strategic Intent	Overt challenges to management authority to shift power balance "Continual bargaining"	
	Political	Shop steward objectives, Government health care policies and financing	

Figure 1: Functions of the Grievance Process

nonunion hospitals. This paper, however, is restricted to a discussion of the grievance process and related supervisory skills in the unionized environment.

FUNCTION OF THE GRIEVANCE PROCEDURE

A mechanism for the resolution of employee disputes during the life of a contract through a formal grievance process is now present in the great majority of private sector collective agreements and similarly, in many public sector agreements.4 In describing the procedure it is useful to differentiate direct and indirect purposes. Direct purposes include any outcomes mutually intended to flow from the application of the grievance procedure as negotiated in the collective agreement. Indirect functions represent those benefits accruing to the union, its members or management as by-products of the grievance system (Figure 1).5

Direct Function

The grievance procedure is intended to serve as a vehicle for the resolution of disputes, disagreements, and misinterpretations of the collective agreement between a union employee and the employer without resorting to more damaging protests such as slowdowns and work stoppages. The employee is given the opportunity to channel an alleged management violation of the contract into a process which, if substantiated, will provide some remedy to the grievor. While formal grievance procedures may restrict potential complaints to specific infractions of the collective agreement, in practice, grievances involving a broad range of worker concerns and employment issues are frequently filed. The actual definition of what constitutes an official grievance, therefore, depends on the wording in the contract. Regardless of the boundaries of the definition, it is not necessary that a grievance must involve a subject explicitly covered by the contract. It has been noted that access to the grievance procedure should be liberally interpreted unless the matter has been specifically excluded since it is very difficult to draft an agreement which anticipates all the problems and issues which may surface in an employment relationship.6 Thus, the grievance process provides a method to enforce compliance with the terms of the negotiated agree-

In providing for the systematic handling of employee concerns, the

grievance process will be constructed in such a way that: the grievance issue(s) are formulated quickly; the dispute is settled as soon as possible after it arises; the dispute is resolved at the level most closely related to the circumstances producing the grievance; successive steps are delineated; and an impartial final authority is established should the dispute not be resolved at a lower level.⁷

Indirect Functions

Numerous other purposes have been ascribed to the grievance system. They may be conveniently grouped as those serving a communication and information role, those fulfilling a problem-solving capacity, those of a strategic intent and those related to political objectives. Workers unable to point to specific contractual violations may simply wish to inform management of a general discontent with their work environment. Formal channels of communication in the enterprise may have been unsuccessfully used by workers in the past. The union may feel that management is more likely to give consideration to the union's concerns knowing that further escalation of the settlement level is available. In some authoritarian organizations, the grievance procedure may be the only effective means of communication with management.

Through the duration of an agreement, grievances assist management and the union in identifying and resolving previously unforeseen problems. The administration of a collective agreement requires frequent interpretation of vague and ambiguous language. The unilateral application by management of a misleading article of a contract may invite grievances. These grievances may lay the groundwork for future negotiations in which the union and management can jointly clarify and

correct faulty sections in the agreement. Previous grievance settlements and arbitration decisions may also provide an effective feedback mechanism to union and management. Using a systems theory approach, Knight has documented that the administration of the grievance process can be enhanced when participants reference information from previous grievances in an organization.8

Grievances can be overt challenges by one party to the authority, rights or actions of another party.9 These challenges may be limited to individual subordinate-supervisor pairs or may represent a broader strategic move on the part of the union to shift the power balance in its relationship with the firm or industry. A form of continual bargaining outside of formal collective negotiations may be achieved through the strategic filing of grievances. In this situation, a union may attempt to move closer to its preferred position on an issue after a collective agreement has been negotiated by strongly pushing grievances that force management to yield ground in small incremental amounts. At the individual level, the grievance process could provide the opportunity to enhance the political objectives of certain representatives such as shop stewards. In a United States (U.S.) study involving the stewards of two western communication companies. Dalton and Todor found associations between needs for achievement, dominance, affiliation and autonomy and grievance behavior of union stewards. 10 They concluded that use of the grievance process to satisfy one's need for dominance without regard to the merit of a grievance is dysfunctional. However, the association between the steward's need for affiliation and discussions with supervisors could reflect constructive efforts to resolve potential grievances before filing.

The Grievance Procedure

The grievance process formalizes the procedures by which union and management personnel will attempt to resolve alleged violations of the collective agreement and other contention issues. Much of the private sector system for grievance handling has been adopted by the public sector despite differences in the employee-employer relationship. Indeed, Begin¹¹ concludes that much of the concern over the special needs of public sector appeal system is exaggerated.

While the actual process negotiated is highly situation specific the typical grievance procedure usually contains elements of the following model:

- 1. A broad statement of intent between two parties as to the objective of the grievance procedure.
- 2. A definition of the alleged contract violations, issues, complaints and concerns that may be included in the procedure.
- 3. A graduated system (step levels) for referring the grievance to a higher level of authority should the dispute not be settled at a lower level.
- 4. Time limitations during which a response must be provided by one of the parties. Should this response not be given within the limit, the grievance may either be assumed to be withdrawn by the grievor (if the union response is expected) or be eligible for advancement to the next level of the procedure.
- A delineation of specific grievances (e.g., policy grievances, dismissals, lengthy suspensions) that are automatically referred to upper levels of the procedure.
- 6. The acceptance of a final and

- binding authority (arbitration) that will represent the last step in the grievance procedure.
- 7. Various administrative statements which specify the documentation procedure; unacceptable conduct on the part of management during the processing of the grievance (i.e., intimidation, coercion of the employee); the method that must be used by management to inform the union how the grievance will be remedied; the people that may be present at the various stages of the resolution process; and the procedure for waiving or extending any of the time limits.

The grievance procedure may acknowledge a pre-step one stage or complaint level. This step encourages the settlement of the dispute through discussion between employee and supervisor before it is filed as a formal grievance. This oral grievance level offers a greater opportunity for resolution through compromise. Once the grievance has been written, the parties may feel a stronger compulsion to move it forward to a higher level. After the oral or complaint stage, the grievance moves into a multi-level system. The number of levels available can vary from two to four or more, with each step loosely corresponding to a level in the union or management structure. The processing of grievances represents an economic cost to both parties. Each level adds an incrementally higher cost to the procedure due to the people and resources required.12 Since a three or four step system permits several opportunities for settlement before arbitration, a financial incentive exists to resolve grievances at as low a level in the organization as possible. Conversely, a grievance procedure with too many levels may function as a disincentive to employees. A low

Table I: Settlement Process Stage of Grievances for HSA of B.C. Members (for April 1988)

	Stage				
	One	Two	Three	On Hold**	Total
Grievances currently at this stage:* Number	5	14	19	7	45
Percent	(11.1)	(31.1)	(42.2)	(15.6)	(100)

- * Some grievances pending settlement during April 1988 may involve more than one employee
- ** Active attention to grievances may be put "on hold" pending settlement of similar grievances on decisions in arbitration awards.

Source: Health Sciences Association of B.C. Unpublished Statistical summary. Grievance/Arbitration/Negotiation. April 1988.

rate of grievances may result when employees perceive the process to be too cumbersome or unresponsive due to long time limits available at each level. 13

The present agreement between the HSA and the HLRA provides for a three stage grievance procedure.14 Should an HSA employee and his or her immediate supervisor not be able to resolve a difference, the details of the dispute are then summarized on a written form. Stage One of the settlement process involves an HSA steward and the employee's immediate supervisor or department head. Should no resolution be obtained at Stage One, the grieving party may advance the dispute to Stage Two which typically involves an HSA labour relations officer and the department head in the resolution process. Again, if no settlement is achieved, Stage Three may be initiated involving the HSA office, senior management of the hospital and a representative from HLRA.

Table I provides a summary of settlement stage for grievances for HSA employees as of April 1988. The information indicates that higher level settlements (i.e., Stage Two and Three) involving union labour relations officers and senior hospital or HLRA personnel are the predominant outcomes for grievances. Lower level dispute resolution between stewards and supervisors is less likely to achieve a settlement outcome.

GRIEVANCE ARBITRATION

The referral of grievances to a neutral, third party for decision is a frequent terminal step in the negotiated grievance procedure in the public sector. 15 While the arbitrator may be limited to functioning in an advisory capacity to the parties, most collective agreements which provide for arbitration of grievances state that the decision rendered shall be final and binding upon the union and management.

Arbitration may be heard before a sole arbitrator or a multi-person board or panel. The collective agreement will frequently contain a list of arbitrators acceptable to the union and management. If the hearing is before a board or panel, the union and management will typically select one member each from the list who, in turn, jointly select a third panel member.

The virtues of arbitration for the ultimate resolution of alleged violations of the contractual agreement have been outlined by several authors. It is purported to provide for a quick, informal, economical and final settlement of disputes without recourse to other closure forcing methods such as strikes,

slowdowns and lockouts. ¹⁶ It avoids the costly formality of court settlement. Another important feature of its popularity is that the parties enjoy control over the selection of the arbitrator. ¹⁷

The role and authority of the arbitrator may be limited by the terms of the collective agreement and include only alleged breaches of the contract. However, a clause which permits the arbitrator to consider all issues concerning the application and interpretation of the agreement and the employment relationship, unless expressly excluded, provides the scope necessary to resolve previously unforeseen problems. The arbitrator is generally not permitted to add to or modify the provisions of the collective agreement but must base the decision on the actual wording of the contract or the implied intent of the parties. The arbitrator usually has the authority to rescind or reduce disciplinary actions, suspensions or discharges imposed by management but will refrain from assessing punitive damages.

In recent years, grievance arbitrations involving the HSA of B.C. and HLRA have been heard before sole arbitrators. 14 The parties select the arbitrator from a small group of about five British Columbia-based arbitrators/mediators. These individuals are all highly respected professionals in this field, have considerable knowledge of health care issues and labour relations in British Columbia, and are known for rendering decisions that are neither excessively pro-union nor promanagement. These credentials, however, make qualified arbitrators frequently in demand from other unionized sectors in the province.

Despite its widespread use as the preferred method for settling grievances at the final step, arbitration has been subject to criticism.

Some labour relations practitioners have noted the excessive costs of arbitration, protracted hearings, the excessive delay between the hearing and the actual decision and the increasing formality or legalistic appearance of the hearing.¹⁸ In Canada, grievance arbitrations have eliminated many of the costly and time-consuming formalities such as written pleadings, discoveries and transcripts.¹⁹

Expedited arbitrations have also been reported to offer a solution to the lengthy and costly arbitration process. 16 The expedited procedure requires the arbitrator to make a decision on the grievance at the end of the hearing or within a few days and further, expects no more than brief written reasons for the decision. This procedure may be restricted to grievances involving discipline situations, short suspensions and those not involving policy grievances. The collective agreement may stipulate that expedited decisions are made without precedent or prejudice to future similar or like grievances. By using this procedure errors in contract administration can be quickly corrected, the costs of arbitration are reduced and employee unrest resulting from lengthy settlement delays can be minimized. Lastly, prearbitration interviews have been proposed as a useful discovery and settlement tool for use by public employers and unions.20 The present agreement between the HSA and the HLRA of B.C. does not provide for expedited arbitrations.14 Decisions must be rendered by the arbitrator within 20 days, although time limit extensions may be permitted by mutual agreement.

While expedited arbitrations offer the promise of faster resolution of grievances, arbitrator availability may still cause delays particularly if the parties have a small number of acceptable arbitrators from which they may select. Some agreements permit the use of a second tier of less experienced arbitrators to hear expedited cases but many unionized environments are reluctant to go outside familiar arbitrators for expediency reaons alone. A reduced amount of case preparation time for the parties and legal counsel, if used, may also limit the actual benefits from expedited arbitration.

PUBLIC SECTOR ISSUES

The recent and relatively rapid development of collective bargaining in the public sector has drawn attention to comparisons with the private sector. Contract negotiations in the public sector frequently become public debates and may result in temporary loss of accepted public services. Wage gains achieved by the union may be quickly passed on to the general public through taxation and fees for governmentprovided goods and services.21 The public interest is considered in greater attention than is usually the case in private sector disputes. Legislated restrictions or limitations on the scope of bargaining or arbitration may provoke jurisdictional disputes or legality issues for the public sector arbitrator.22

An important purpose of dispute settlement methods is to stabilize the bargaining environment. This stability is usually achieved only after many years of experience with the collective bargaining relationship. Since full bargaining rights were only introduced to many public sector unions in North America in the 1960's, mature labour-management relationships are still developing. Several issues complicate the public sector framework. The participation of public employees in processes to negotiate wages and working conditions has been considered a challenge to the sovereignty of the state.23

The potential for this involvement leading to practices which might disrupt public services or distribute public resources in a manner contrary to public policy is raised to support the sovereignty argument. The separation of powers between various levels of government; the diffused fiscal authority of management negotiators, regional governments and more senior governments; the potential for lobbying of politicians outside of regular bargaining channels; and the frequent turnover of political employers or policy makers leading to difficulties in achieving continuity are all features of the public sector environment which influence the relationship. While the public sector union structure is typically similar in interests and techniques to its private sector counterpart, the management side does not often have the same experience, motives, incentives, rules or ideology as private sector employers.24

While the above factors may have considerable influence in the negotiation of a collective agreement between a public agency and its employees, grievance administration procedures approximate private sector practices. In Canada, the right of federal public employees to grieve and for certain types of cases, to proceed with adjudication is provided for in the Public Service Staff Relations Act (PSSRA), and is present with or without the existence of a collective agreement.25 For employees in industries operating under federal legislation and employees of government enterprises the right of grievance is granted under the Canada Labour Code. The Canada Labour Code and the PSSRA provide the authority for the usual grievance resolution procedures that exist in private sector agreements. These include a provision for final settlement without work stoppage of disputes between

Table II: Grievance Issues Pending Settlement for HSA of B.C. Members (April 1988)

Grievance Issues	Number	(%)	
Reclassifications	11	(24.4)	
Demotion, discipline, dismissal or performance evaluation	9	(20.0)	
Vacancy posting, promotion	7	(15.6)	
Recognition, rights, security, job content, or work in the			
bargaining unit	4	(8.9)	
Policy grievance	4	(8.9)	
Employee status, benefits coverage	3	(6.7)	
Leaves: special, vacation, or unpaid	3	(6.7)	
On-call and call back provisions	3	(6.7)	
Other	1	(2.2)	
Total Grievances Pending	45*	(100.1)**	

- * Some grievances pending settlement during April 1988 may involve more than one employee.
- ** Does not equal 100 due to rounding.

Source: Health Sciences Association of B.C. Unpublished statistical summary. Grievance/Arbitration/Negotiation. April 1988.

the parties bound by the agreement concerning its interpretation, application, administration or alleged violation; the appointment of a third party adjudicator or arbitration board; and acceptance of the arbitrator's decision as final and binding. These statutes specify that arbitration decisions shall not be questioned or reviewed by any Court. Denial of natural justice or an error in the interpretation of the facts by the arbitrator would likely however, provide grounds for review as in other jurisdictions.

GRIEVANCE ANALYSIS

Analysis of the grievance filing experience within an industry or organization can identify useful information for both the union and management. Objective or quantitative measures such as the grievance rate per employee, settlement level, arbitration rate and settlement time can be indicators of the general industrial relations climate of an organization; the effectiveness of the grievance administration machinery; and the quality of participation by supervisors and stewards in the early settlement process. Further, subjective investigations can be performed to forecast future bargaining strategies based on grievance filing and to relate grievance activity with other corporate variables such as productivity. While these measures tend to be highly situation specific and cannot be used to precisely define ideal or abnormal union-management behavior, nevertheless they are useful comparative tools.

The influence of union stewards on the grievance filing behavior in an organization has been studied by Dalton and Todor.10 They concluded that certain behavioral needs of stewards such as dominance may be reflected in grievance activity. Since the filing of grievance frequently requires the intervention of the steward, the number of grievances actually filed may be largely a function of differences in stewards, not differences in union employees. They also reported on data from a large public utility which indicated that stewards neither counselled potential grievants to withdraw questionable complaints nor attempted to resolve potential grievances with supervisors prior to filing.28 Further, stewards offered encouragement to employees to file. They suggested that the more committed

Table III: Grievance Activity and Processing Times for HSA of B.C. Members (February to April 1988)

		February	March	April	
Grievances Received during the month	32		10	25	
Current Grievances:*					
(percent figure in brackets)					
<2 mo. since receipt		40 (53.3)	27 (39.1)	27 (25.7)	
2 to 5 mo. since receipt		20 (26.7)	25 (36.2)	35 (33.3)	
5 to 12 mo. since receipt		13 (17.3)	16 (23.2)	42 (40)	
> 12 mo. since receipt		2 (2.7)	1 (1.4)	1 (1.0)	
	Total	75 (100)	69 (99.9)**	105 (100)	

^{*} Percentage of current grievances requiring the indicated time interval for processing.

Source: Health Sciences Association of B.C. Unpublished Statistical summary.

Grievance/Arbitration/Negotiation. February - April 1988.

stewards were to their unions, the less likely they were to engage in interventions which constructively improved joint union-management objectives in the processing of grievances.

A detailed quantitative analysis of the grievance experience with municipal employees in several bargaining units in a large number of California cities was conducted by Briggs.29 The study attempted to correlate a number of independent variables such as environmental, management, union and grievance procedure characteristics with the dependent variables: 1. grievance rate, 2. speed of settlement, 3. level of settlement, 4. arbitration usage, and 5. equity of settlement. He observed a mean grievance rate of 6.47 grievances per 100 employees per year with 12.7 percent of grievances requiring arbitration. Thirty-two percent of the grievances were settled at the first step of the procedure and 49.1 percent of the settlements were achieved within 30 days.30 Another study of municipal workers in five U.S. cities demonstrated a grievance rate of from 1.3 to 10 grievances per 100 employees per year.11 The predominant grievance issues were salary and fringe benefit claims, work rules, discipline, assignment of work disputes and seniority concerns.¹¹

The relationship between the grievance activity and productivity in an organization has recently been studied.31 The grievance filing rate per production hour was incorporated into a cost function equation for nine paper mills. Although the measured effect on productivity was small, lost worker time and effort associated with grievance filing could significantly impact on profitability. It was also noted that a non union firm with no formal grievance procedure had lower productivity than union firms with a grievance procedure.31

GRIEVANCE ACTIVITY OF HSA OF B.C. MEMBERS

A summary of the grievances pending settlement for HSA of B.C. members on file for April 1988 is presented in Table II. The issues listed represent groupings of grievances of similar content with respect to alleged violation of specific articles of the collective agreement.

Table II provides evidence for the multiple function role of the grievance process for HSA employees in British Columbia. Its direct function is reflected in the many disputes alleging violation of the collective agreement by management in which an individual employee is wronged and a suitable remedy is expected. Examples of these include demotion, discipline and performance evaluation issues; vacancy posting and promotion; payment for call backs and on-call premiums and approval for various types of leaves.

Policy grievances (i.e., those involving fundamental differences in interpretation of the collective agreement between the union and management and usually not involving specific employees) often serve an indirect or problem solving function by identifying vague or misleading contract language. Grievances relating to union recognition, rights and security; job content or work in the bargaining unit can have a strategic or political purpose in order to protect and enhance the strength of HSA within the hospital and union movement. The large number of reclassification grievances may represent legitimate attempts to correct individual classification disputes arising from incorrect application of a complex grading system. They also may be a symptom of worker discontent concerning lack of opportunities for career path advancement or inadequate wage scales, problems that employees perceive can only be rectified through job reclassification to higher job grade levels by way of a grievance.

The volume of new grievances filed by HSA members for a three-month period in 1988 is shown in Table III. A rate of 4.1 grievances per 100 employees can be estimated projecting this three-month period on an annualized basis for the 6,500 HSA of B.C. members. Table III also indicates that while settlement times vary greatly once a grievance has been filed, most require less than five months to achieve a resolution.

^{**} Does not equal 100 due to rounding.

SUGGESTIONS FOR GRIEVANCE HANDLING BY PHARMACY SUPERVISORS

While it is not anticipated that pharmacy managers would likely be confronted by large numbers of grievances, even the occasional one demands an appropriate response from the department head. A lengthy list of recommended actions by supervisors in the handling of grievances has been developed by Baer.³² Given the applied research that has been conducted in this field, it is suggested that pharmacy managers approach grievance claims in the following manner:

- 1. Become familiar with the language covering grievances in the relevant collective agreements. Procedural requirements will dictate time limits and the identification by the grievor of the specific contract provision that has been allegedly violated.
- 2. While the competent pharmacy manager is expected to assume certain labour relations responsibilities, including the investigation and settling of grievances, understand the limits of this authority and defer the issue to employee relations specialists at the correct time.
- 3. Thoroughly investigate all grievance claims. Actions that are inadequately handled by the supervisor may lead to an arbitration hearing.
- 4. To the extent possible, determine the root cause for any grievance actions particularly those that may have a political or strategic intent. Be alert to union efforts to limit management rights.
- 5. Give the employee the opportunity to make a full representation to the supervisor and provide relevant information to the union when requested. If in doubt, check with Employee

- Relations concerning the appropriateness of any request for information. Parties to a grievance should expect that their relationship will be one of mutual respect, dignity and propriety.
- 6. Since grievance settlement will frequently be made by management "without prejudice" (to future action or decisions), staff in the Employee Relations Department should be consulted for advice on precedents and complicated policy grievances.
- 7. Initiate corrective or remedial action immediately if the supervisor's investigation supports the employee's grievance claim. Such settlements must be consistent with the collective agreement and must not commit the organization to directions beyond your limits of responsibility.
- 8. Maintain communication with your senior management about the general issues characterizing any grievances involving your department.

SUMMARY

The grievance process is an important element of industrial relations in an unionized environment. While worker-supervisor discord is frequently the major issue in many grievance claims, the grievance is also used to address much broader political and strategic employee-union-management objectives. The manager and supervisors in hospital pharmacy departments are expected to be familiar with the grievance procedure of collective agreements and be able to demonstrate effective skills in the labour relations area.

REFERENCES

 Eli Lilly Canada Inc., Lilly Canada Hospital Pharmacy Survey 1985/86, 1986:15.

- Balfour A. Five types of non-union grievance systems. *Personnel* 1984;
 (March-April):67-76.
- Bohlander GW, White HC. A grievance system without a labor union. Hosp Top 1987; 65 (May-June): 17-21.
- Bowers MH. Contract Administration in the Public Sector PERL 53. Chicago: International Personnel Management Association, 1976:25.
- White RN. State grievance and appeals systems: a survey. Pub Pers M 1981; 10 (Fall): 313.
- 6. Bowers MH, p. 27-28.
- Shane J. Indirect functions of the grievance procedure. Pub Pers M 1973; 2 (May-June): 171.
- Knight TR. Feedback and grievance resolution. *Ind Lab R* 1986; 39 (July): 585-98.
- Gandz J. Grievances and their resolution. In: Anderson J, Gunderson M eds., Unionmanagement relations in Canada. Don Mills, Ontario: Addison-Wesley; 1982: 302.
- Dalton DR, Todor WD. Manifest needs of stewards: propensity to file a grievance. J Appl Psyc 1979; 64:654-659.
- Begin JP. The private grievance model in the public sector. *Ind Relat* 1971; 10 (Feb): 21.
- Pettefer JC. Effective grievance administration. *Calif Manag* 1970; 13 (Winter): 12-8.
- Briggs S. The municipal grievance process. Monograph and Research Series: 36. Los Angeles: University of California Institute of Industrial Relations, 1984: 31.
- Health Sciences Association of British Columbia and Health Labour Relations Association of British Columbia. Master Agreement. April 1, 1989 to March 31, 1992.
- Graham H, Wallace V. Trends in public sector arbitration. *Personnel Administrator* 1982; 27 (Apr):73-7.
- Stessin L. Expedited arbitration: less grief over grievances. Harv Bus R 1977; 55 (Jan-Feb): 128-34.
- Briggs SS, Anderson JC. An empirical investigation of arbitrator acceptability. *Ind Relat* 1980; 19 (Spring): 163-74.

References continued on page 50.

References

LABOUR RELATIONS GRIEVANCE PROCESS References continued from page 24.

- 18. Robinson JW. Some modest
- proposals for reducing the costs and delay in grievance arbitration.

 Personnel Administrator 1982; 27

 (Feb):25-8.
- 19. Weiler PC. Reconcilable differences. Toronto: Carswell, 1980:93.
- 20. Decker KH. The public sector employer's and union's right to

- conduct prearbitration interviews. J Collect N 1985;14:13-23.
- Ponak A. Public-sector collective bargaining. In: Anderson J, Gunderson M, eds., Unionmanagement relations in Canada. Don Mills, Ontario: Addison-Wesley, 1982:343-78.
- 22. Swinton K. Grievance arbitration in the public sector. In: Thompson M, Swimmer G, eds., Conflict or compromise: the future of public sector industrial relations. Montreal: The Institute for Research on Public Policy, 1984: 362.
- Brock J. Bargaining beyond impasse: joint resolution of public sector labour disputes. Boston: Auburn House Publishing Company, 1982:1-23.
- 24. Craver CB. The judicial enforcement of public sector grievance arbitration. *Tex Law R* 1980; 58 (Feb): 329-53.
- Herman EE. The Canadian approach to grievance adjudication in the public sector. *J Collect N* 1974; 3 (Winter): 21–31.
- Public Service Staff Relations Act,
 R.S. 1967, c. P35 s.1 (Part IV).
- Canada Labour Code, R.S. 1967, c. L-1, s.30 (Part V).
- Dalton DR, Todor WD. Antecedents of grievance filing behavior: attitude/behavioral consistence and the union stewart. Acad Mgmt J 1982; 25 (Mar): 158-69.
- 29. Briggs S. The municipal grievance process, 45-55.
- 30. Briggs S. The municipal grievance process, 91.
- Ichiniowski C. The effects of grievance activity on productivity. Ind Lab Rel 1986; 40 (Oct): 75–89.
- Baer WE. Grievance handling: 101 guides for supervisors. New York: American Management Association Inc, 1970.