



CAAT-A

COLLEGES
ACADEMIC
DIVISION



Bargaining information for OPSEU members in the CAAT-Academic Division

FAQ: Grievances and Arbitrations under the Imposed Terms and Conditions

Individual Grievances

Q: Does a faculty member who has a grievance have limited access to grievance processes, up to and including a board of arbitration?

A: Management has removed the Grievance Scheduling Committee.

- They have relegated arbitration to a local matter.
- This removes the impartiality of the Committee.
- It increases the likelihood for local pressure from managers on individual faculty concerning their grievances.
- It goes against the trend in most workplaces that have established grievance systems.
- They are essentially asking faculty to trust the human resources manager to ensure impartiality.

Union Grievances

Q: Will union grievances continue to be processed up to a board of arbitration?

A: No, by imposition, the union will not be allowed to grieve on behalf of its members.

- Policy violations cannot be grieved.
- The union will not be allowed to grieve violations of the terms and conditions of employment.
- Management has the freedom to make any policy changes they want, at any time under imposed terms and conditions.

Time Limits

Q: Do the new terms eliminate the right of arbitrators to waive time limits on grievances?

A: The *Colleges Collective Bargaining Act, 2008* gives arbitrators the authority to waive time limits in grievance matters, unless modified by a collective agreement. Management's imposed terms and conditions have removed this newly acquired right and inserted language to restrict arbitrators. Arbitrators should have the discretion to waive the time limits if warranted and fair.

Arbitrators List

Q: Is it true that the colleges unilaterally added five new persons solely of their choosing to the list of arbitrators?

A: Yes, four new arbitrators were agreed to, 2 from each side. The colleges added another five. The balance of the previous agreed to list has been altered significantly.