

GRIEVANCE PROVISION

16. Grievance Procedure

16.1 A grievance shall be defined as any difference or dispute arising between members of CELA staff and the Board of Directors or between Legal, Non-legal or Support staff concerning the application or administration of this policy.

16.2 Step one

Every effort shall be made to resolve disputes through initial and informal discussions between the parties involved.

16.3 Step two

If initial efforts fail to resolve the dispute:

(a) in the case of a dispute involving a staff person other than the director, the staff person may grieve to the clinic director;

(b) in the case of a dispute involving the clinic director or the clinic staff collectively, the grievance will be referred to the Board of Directors.

In either case the grievance shall be set forth in writing by the grievor(s) and shall include details of the grievance, a statement of the matter in dispute and the relief sought.

Any such grievance shall be delivered to the appropriate party within a reasonable time from the occurrence of the circumstances giving rise to the dispute.

16.4 Upon receipt of a 'step two' grievance, the clinic director or the Board of Directors shall consider the grievance and give a written decision within:

- (a) in the case of a grievance to the clinic director, seven days of the receipt of the grievance;
- (b) in the case of a grievance to the Board of Directors, within seven days of the next board meeting.

16.5 Step three

A grievor may appeal a decision of the clinic director to the Management Committee and the committee shall consider the grievance and give a written decision within seven days of the Management Committee meeting ^{next} following the receipt of the grievance. In any situation, where a member of the Management Committee is involved in the dispute being grieved, a conflict of interest will be declared and that individual ^{shall} abstain from voting or otherwise participating in the committee's consideration of the grievance.

16.6 Step four

Should a grievance remain unresolved after having been considered by either the Board of Directors or the Management Committee, as the case may be, the grievance may then be referred to an independant volunteer third party neutral for arbitration:

- (a) a grievance shall be referred for arbitration within fourteen days of receipt of the decision of the Board of Directors or the Management Committee;
- (b) the arbitrator shall hear the parties and consider any material presented by them.

A written decision shall be given by the arbitrator and shall be final and binding upon all parties.

It is the intent of this provision to provide an effective

mechanism for resolving employment related disputes that will not involve significant expense or delay. Any matter referred to the arbitrator should accordingly be dealt with with a minimum of formality and there shall be no costs of any such proceedings.

- 16.7 A neutral third party arbitrator will be selected by agreement among staff and the Board of Directors and shall be appointed for the same term as other CELA officers.