

## **SCOPE OF THE GRIEVANCE PROCEDURE**

The scope of the grievance procedure is set out in Section 90 of the Public Service Staff Relations Act. This Section provides an employee with the right to present a grievance concerning any matter affecting or arising from his terms and conditions of employment provided there is no other avenue of redress open to him. For example, under the Public Service Employment Act an employee has the right to appeal a decision concerning a

- Promotion,
- Demotion or Release for Incompetence or Incapacity.

As a result, these subjects are not grievable items.

Grievances concerning the interpretation or application of a provision of a collective agreement or arbitral award require the approval of and representation by the appropriate bargaining agent.

## **ADJUDICATION OF GRIEVANCES**

The scope of the Reference to Adjudication process is set out in Section 91 of the Public Service Staff Relations Act. It allows an employee to refer to adjudication any grievance concerning the interpretation or application of a provision of a collective agreement, arbitral award or disciplinary action resulting in discharge, suspension or financial penalty.

In any reference to adjudication concerning the interpretation or application of a provision of a collective agreement or arbitral award the bargaining agent must indicate its approval of the reference and its willingness to represent the employee in the adjudication proceedings.