

Right to be represented by employee organisation (3) An employee who is not included in a bargaining unit for which an employee organization has been certified as bargaining agent may seek the assistance of and, if he choose, may be represented by any employee organization in the presentation or reference to adjudication of a grievance.

Idem (4) No employee who is included in a bargaining unit for which an employee organization has been certified as bargaining agent may be represented by any employee organization, other than the employee organization certified as such bargaining agent, in the presentation or reference to adjudication of a grievance.

Reference to Adjudication

Reference of Grievance to adjudication 91. (1) where an employee has presented a grievance up to and including the final level in the grievance process with respect to
 (a) the interpretation or application in respect of him of a provision of a collective agreement or an arbitral award, or
 (b) disciplinary action resulting in discharge suspension or a financial penalty,
 and his grievance has not been dealt with to his satisfaction, he may refer the grievance to adjudication.

Approval of bargaining agent (2) Where a grievance that may be presented by an employee to adjudication is a grievance relating to the interpretation or application in respect of him of a provision of a collective agreement or an arbitral award, the employee is not entitled to refer the grievance to adjudication unless the bargaining agent for the bargaining unit to which the collective agreement or arbitral award applies signifies in prescribed manner