

- (f) who is employed in a position confidential to any person described in paragraph (b), (c), (d) or (e), or
- (g) who is not otherwise described in paragraph (c), (d), (e) or (f), but who in the opinion of the Board should not be included in a bargaining unit by reason of his duties and responsibilities to the employer.

Right to Present Grievances

- Right of employee** **90.** (1) Where any employee feels himself to be aggrieved
- (a) by the interpretation or application in respect of him of
 - (i) a provision of a statute, or of a regulation, by-law, direction or other instrument made or issued by the employer, dealing with terms and conditions of employment, or
 - (ii) a provision of a collective agreement or an arbitral award; or
 - (b) as a result of any occurrence or matter affecting his terms and conditions of employment, other than a provision described in subparagraph (a)(i) or (ii),
- in respect of which no administrative procedure for redress is provided in or under an Act of Parliament, he is entitled, subject to subsection (2), to present the grievance at each of the levels, up to and including the final level, in the grievance process provided for by this Act.
- Limitation** (2) An employee is not entitled to present any grievance relating to the interpretation or application in respect of him of a provision of a collective agreement or an arbitral award unless he has the approval of and is represented by the bargaining agent for the bargaining unit to which the collective agreement or arbitral award applies, or any grievance relating to any action taken pursuant to an instruction, direction or regulation given or made as described in section 112.