



CUPE
Local 5167
Hamilton. Our City. Our Union.



THE **ART** OF STEWARDING

STEWARD GUIDE



Please return this Steward Guide to:



@cupelocal5167

CUPE Local 5167 office

886 Barton Street East

Hamilton, ON

L8L 3B7

Phone: 905-522-0917

Email: office@cupe5167.org

IMPORTANT CONTACT INFORMATION:

My Unit Vice President is: _____

Phone: _____

Email: _____

My Chief Steward is: _____

Phone: _____

Email: _____

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WELCOME TO CUPE LOCAL 5167 STEWARDSHIP!!

“As a steward, your role is to **watch and listen** to what’s happening in your workplace, on behalf of your local. As part of this role, you will want to inform the executive of issues that the local needs to deal with in bargaining; watch for early warning signs of privatization or contracting out; and stay alert for other problems.”

CUPE Steward Handbook, page 5.



Hello! Thank you for stepping up and doing your part for **OUR UNION!**

A union is not a service we receive, but a membership we belong too. We are only as strong as our members are active!

- ✓ Please take time to familiarize yourself with the CUPE Local 5167 website!
- ✓ Please read the Members Handbook if you have not already. This will provide insight into the basic structure and organization of the local.
- ✓ Please read this guide as there is a wealth of information packed into these pages, everything from steward responsibilities to grievance-handling!

Stewards in the workplace make the union visible to workers and to management. As a Steward, you are to connect with your coworkers before the start of the workday, breaks, lunch or the end of the day.

As a Steward, it is important to understand the role and scope of CUPE Local 5167. While unions play a vital role in resolving workplace concerns, they do not manage the workplace or direct management. Management retains the responsibility for making operational decisions as they see fit. The union's role is to ensure those decisions comply with the Collective Agreement, policies, and legislation.

Not every workplace issue will result in a grievance. Depending on the circumstances, concerns may be addressed through informal discussions, labour-management meetings, consultation with Human Resources, health and safety processes, accommodation discussions, policy reviews, or the formal grievance and arbitration process. Understanding the appropriate avenue for resolving an issue is an important part of effective representation.

Build and Maintain Credibility

Credibility is one of a Stewards most valuable assets. Members, fellow Stewards, union leadership, and management must be able to trust that you are honest, professional, and dependable. **Be mindful of your opinion versus the facts of the Collective Agreement, the position of the local, and how it impacts the whole!**

Always provide accurate information. If you do not know the answer to a question, be honest and say, "I don't know, but I'll find out." Never guess or provide advice based on assumptions. Research the issue, **consult your Unit Vice President**, and respond to the member as soon as possible with accurate information. You can also refer the member directly to the Unit Vice President.

Be Reliable and Follow Through

Members rely on their Stewards to provide guidance and support. If you commit to taking action, following up on a concern, or obtaining information, ensure that you do so in a timely manner. If circumstances change or additional time is required, communicate

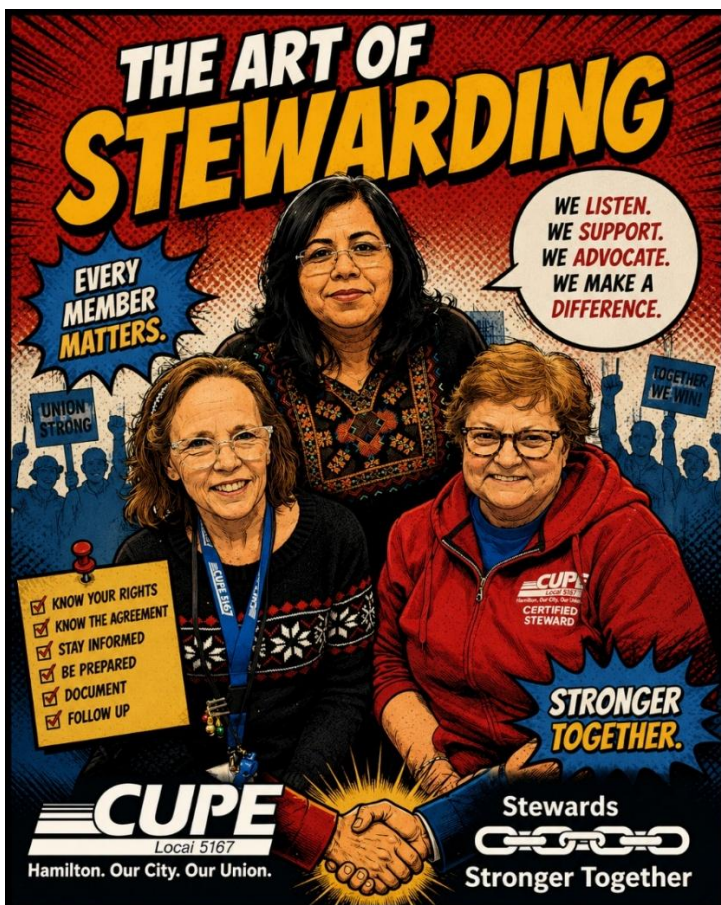
this to the member. Consistent follow-through builds confidence in both you and the union.

Work with Your Unit Vice President

Your Unit Vice President is an important resource and partner in representing members. Keep them informed of workplace concerns, grievances, investigations, and emerging issues. They may have historical knowledge, previous case experience, or strategic advice that can assist in resolving the matter effectively. Early communication also helps ensure consistency in the Local's approach to workplace issues.

Know Your Responsibilities

Stewards are expected to carry out their duties in accordance with the CUPE Local 5167 Bylaws, applicable policies, and the direction of the Executive Board and Membership. This includes representing members fairly, maintaining confidentiality, communicating effectively, attending required meetings and training, and supporting the goals and values of the Local.



Remember you cannot conduct union business on company time.

You can talk union on breaks, lunch or before/after work.

CONFIDENTIALITY

EACH STEWARD WILL SIGN A CONFIDENTIALITY AGREEMENT FORM AT THE BEGINNING OF EACH TERM.

ALL BREACHES ARE TO BE REPORTED TO THE EXECUTIVE ADMINISTRATOR.

I _____ , promise to respect and preserve confidentiality in all matters related to the business of CUPE Local 5167 as they relate to confidential matters of my coworkers and workplace.

This includes any and all information relating to the collection of members information. This may include but is not limited to personal and employment information, union participation activities, grievances, medical documents, reports, correspondence, conversations and discussions.

I acknowledge and understand that CUPE Local 5167 is subject to the provisions of the Freedom of Information and Protection of Privacy Act (FIPPA), CUPE Local 5167 Bylaws and CUPE National Constitution.

I will not divulge any personal information relayed to me as a Steward.

I recognize that it is necessary and appropriate to divulge information in some circumstances. I will consult with the Executive Administrator/Chief Steward, or President in their absence, for assistance and direction prior to the release of such information.

If I have any questions related to confidentiality, appropriate access to and/or use of CUPE Local 5167 records and information or the application of FIPPA, I agree to consult the Local's Executive Administrator/Chief Steward, or President in their absence for assistance.

PAGE TWO OF CONFIDENTIALITY AGREEMENT FORM

I understand that as a Steward I am to maintain the confidentiality of various workplace matters. _____ initials

I may consult with another Steward or Executive as they are bound by 5167 confidentiality agreements and policy. _____ initials

I understand in the event I become aware of a possible or definite breach of confidentiality I am required to immediately report it to Executive Administrator/Chief Steward, or President in their absence for assistance and direction. _____ initials

I understand that failure to abide by this agreement may result in further action such as removal as a Steward, trial charges, discipline or what is deemed appropriate by lawful agency. _____ initials

I acknowledge receipt of a copy of this agreement. _____ initials

STEWARDS AND WITNESS SIGNATURES

Confidentiality Best Practices for Stewards

- Respect the privacy of every member.
- Share information only on a **need-to-know basis.**
- Keep grievance files, notes, and correspondence secure.
- Avoid discussing workplace issues in public areas or on social media.
- Obtain consent before sharing personal information whenever possible.
- When unsure whether information should be shared, consult your Unit Vice President or another Executive Officer before doing so.

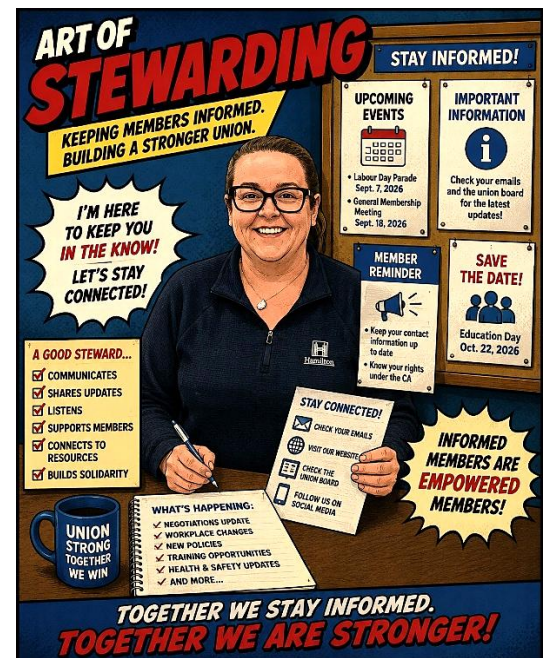
STEWARD ROLE & RESPONSIBILITIES

The Location Steward shall act as the Union's representative at the workplace and shall ensure that member issues are dealt with, and grievances are filed if the employer fails to comply with the terms of the Collective Agreement. Stewards can attend meetings with the employer that are about discipline or can lead to discipline. They can file a grievance to dispute the discipline or another violation.

Please note: Member-on-member issues will be handled by the Full-Time Executive. This ensures Stewards remain impartial and are not placed in the middle of workplace conflicts or interpersonal disputes.

The role of the Steward is to ensure the member receives fair representation—not to argue every point or answer questions on the member's behalf.

Observe the process, protect the member's rights, ask clarifying questions, and ensure management has just cause and follows both the Collective Agreement and the principles of procedural fairness.



STEWARD DUTIES

- **Visit the local website** for information and supports. www.cupe5167.org
- **Update Union Boards** – You should be receiving postings at your work location (if you do not, contact the office) and post them on your Union Board. Ensure there is only CUPE Local 5167 postings. There should be a Health and Safety Board for JHSC.



Remember to encourage members to register for eblasts and follow

5167 on social media!

@cupelocal5167

There is a union board on the website.

www.cupe5167.org

- **Introduce yourself** to new coworkers as a Steward.
- **Encourage Member union engagement** (Solidarity) – You are an Ambassador not only for CUPE Local 5167 but the labour movement as well. Respecting labour and ensuring a positive and safe workplace!

- **Provide information and education** – Many times you are just answering questions or passing information on, especially when bargaining is around the corner.
- **Resolve workplace issues** - We try to do this before a grievance has to be filed by having a conversation with the Supervisor/Manager, however, it is not always possible. Review your grievance procedures in your Collective Agreement.
- **Note Taking** – Take notes at all meetings and ensure a copy is sent to the Union for the Members file. Ensure the following is contained in the notes: Members Name, date, who attended and YOUR name. Please see the notes section in the guide.
- **Filing Grievances** – Grievance – a violation of the Collective Agreement, or a Policy Grievance - they have always done it this way, then change it up without any kind of notification or discussion or Human Rights issues. **Be mindful of timelines.**
- **Communicate with your Unit Vice President and Chief Steward** – You are the eyes and ears in the workplace. By communicating with the Local you will get and give additional information, assist in tracking trends and assist in fostering a strong informed local.
- **Attend Monthly Steward Meetings** – They are on the 1st Tuesday of every month (December is Steward Appreciation)
- **Managing unrealistic expectations** - Sometimes Members have unrealistic expectations. We work with the Collective Agreement and sometimes we are not able to resolve an issue from the Member's perspective. That is when relationship

and rapport building are vital to assisting the Member to understand. Information is power.

TIPS:

- Remember the supportive approach, often it is a personal situation for the Member, and they are passionate about the issue. Providing information and clarity to assist with understanding can help diffuse escalated emotions.
- Ask the Member to point out where in the CA the violation is.
- Is the issue something that can be addressed by the Labour Management Committee (if available) in your area or an informal conversation with Management (speak with your Unit Vice President).
- Refer them to their Unit Vice President or Union.



STEWARD OBLIGATIONS

- Prior to being confirmed as an active Steward, the member must complete 5167 Steward Training. (5167 Steward Training will be prescheduled by the Chief Steward once per month based on need). The costs will be covered under the defense fund.
- Stewards shall attend no less than 3 monthly Stewards meetings or 3 Learning Series Modules each calendar year (unless excused due to a good and sufficient cause).
- A Steward can attend one (1) general membership meeting to count towards their obligation in each year of the Steward term (July to June each year). *It is the responsibility of the Steward to confirm their attendance by email to the Chief Steward for it to be recorded.*
- In the event of unit job action (not able to strike), strike preparation and/or potential strike; all Stewards will automatically be appointed to the Unit Strike Team and act as Picket Captains.

STEWARD MEETINGS ARE ONLINE ON THE FIRST TUESDAY OF THE MONTH, EXCEPT FOR JULY, AUGUST AND DECEMBER.

- ONLINE (The link is posted on the website by 5:15pm).
- 5:30 pm.
- Set a reminder in your calendar!



WHO SHOULD I CALL?

As a Steward you are a connector from the workplace to the Executive. You may attend meetings or answer questions and then hand off to the Unit Vice President.

Full Time Executive will deal with the following issues:

- Terminations (Unit VPs/FT)
- Human Rights Complaints (Unit VPs/FT)
- Policy grievances (Unit VPs)
- RTWS/WSIB (2nd VP)
- Seniority (Executive Administrator)
- Member on Member disputes (The Steward is in the workplace, removing them allows for continued positive relationships for all).



Union

- If you are called in by your employer for a meeting, ask if it is about or can lead to discipline; you should have union representation.
- To file a grievance when the Collective Agreement has been violated.
- All grievances are managed by the unit vice president and the grievance committee.
- Any union related questions (Collective Agreement).
- Seniority discrepancy.
- Support filing a human rights complaint with the employer.
- Support on how to address a workplace issue that is not covered below.

Employer

- Calling in sick (supervisor)
- Scheduling vacation (supervisor)
- Workplace issues (start with supervisor)
- Payroll inquiries (HR)
- Pension & Benefits (HR)
- Human Rights/Harassment Complaints
- Employee Assistance Program

John C. Munro
HAMILTON
INTERNATIONAL AIRPORT
Fire, Security & Maintenance



Hamilton

City Inside
City Outside
Macassa Lodge
Wentworth Lodge



Good Shepherd
Faith in people.

Women Services, Family Centre
& Reaching Home Division

st. matt's
where hope thrives

Joint Health & Safety Committee (JHSC)

- JHSC is composed of worker and employer representatives.
- JHSC is a legal requirement under Section 9 of OHSA – Occupational Health & Safety Act.
- If you see or know of any health and safety issues, report them to your supervisor immediately.
- Also inform your worker representative so they are aware and follow up accordingly.
- Know your rights!
- Your JHSC representatives must be posted on the health and safety board.
- [5167 Workers Guide to JHSC March 2024](#) (Found on the website)



Labour Management Committee (LMC)

- If your location does not have one, call your unit vice president to see about implementing one.
- LMC is composed of worker and employer representatives.
- The LMC looks at discussing workplace issues and finding solutions. Your worker representative will participate at bi-monthly meetings, collect agenda items from workers in your location, and share information. If you identify a workplace issue like workload, process issue, etc., talk to your LMC representative.
- Ask your Steward or Unit Vice President if your location has one.

Inquiries By Subject

Media / Political Action/ Organizational Lead: President

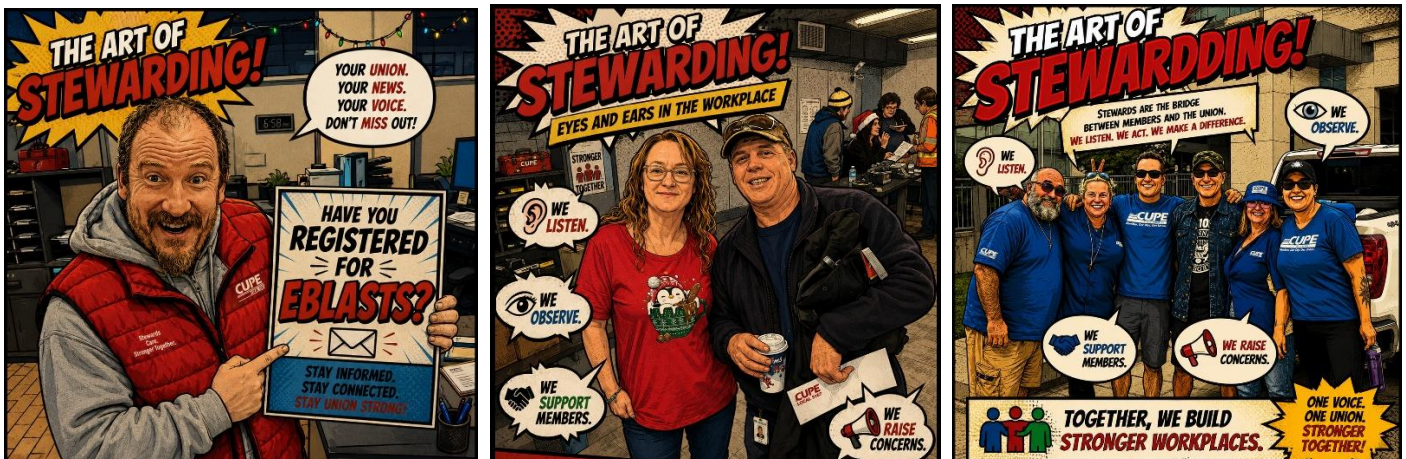
Education: Education Coordinator

Financial: Treasurer

Health & Safety, STD, LTD, RTW, WSIB: Second Vice President

Steward Supports: Your Unit Vice President or Chief Steward

Communications/ Social Media / Website: Executive Administrator



Every worker in Ontario has legal rights and responsibilities. In addition to general employment laws, many industries have sector-specific legislation that governs workplace rights and labour relations.

Labour law establishes the **legal framework that governs the relationship** between employers, employees, and trade unions. It protects workers' rights, outlines employer obligations, and provides mechanisms for resolving workplace disputes. In unionized workplaces, labour law works alongside the Collective Agreement to establish rights, responsibilities, and processes for both the employer and the union.

Key Principles of Labour Law

Several fundamental principles guide labour law in Ontario:

- **Freedom of Association** – Employees have the right to join and participate in a trade union without interference or discrimination.
- **Collective Bargaining** – Employers and unions have a legal duty to bargain in good faith to negotiate collective agreements.
- **Duty of Fair Representation** – A union must represent all members fairly, honestly, and without discrimination or bad faith.
- **Management Rights** – Employers retain the authority to manage the workplace except where those rights are limited by legislation or the collective agreement.
- **Progressive Discipline** – Discipline should generally be corrective rather than punitive, with penalties increasing only when appropriate.
- **Natural Justice and Procedural Fairness** – Employees are entitled to fair treatment, including an opportunity to respond to allegations before discipline is imposed.
- **Occupational Health and Safety** – Every worker has the right to know about hazards, participate in workplace safety, and refuse unsafe work where permitted by law.

- **Minimum Employment Standards** – Employment standards legislation establishes minimum rights that cannot generally be contracted away.
- **Human Rights Protection** – Employees are protected from discrimination and harassment based on grounds protected by the **Ontario Human Rights Code**, and employers have a duty to accommodate to the point of undue hardship.

Labour law is designed to promote fair and productive workplaces by balancing the interests of employees, employers, and the public. It governs matters such as union certification, collective bargaining, grievance and arbitration procedures, strikes and lockouts, workplace safety, minimum employment standards, human rights protections, and compensation for workplace injuries.

A Collective Agreement builds upon these legal protections by negotiating rights and benefits that are often greater than the minimum standards established by legislation. While legislation establishes the minimum legal requirements, collective agreements frequently provide enhanced wages, benefits, leaves, scheduling protections, seniority rights, and job security.

It is important to remember that no single law governs every workplace issue. When interpreting legislation or a Collective Agreement, it is essential to consider the document as a whole. Reading a single clause without understanding the surrounding language, related provisions, or established interpretations can lead to misunderstandings and incorrect conclusions.

Some of the principal labour and employment statutes that may govern Ontario workplaces include:

- **Canada Labour Code** (*for federally regulated workplaces*)
- **Ministry of Labour, Immigration, Training and Skills Development Act**
- **Rights of Labour Act**
- **Labour Relations Act, 1995**
- **Employment Standards Act, 2000**
- **Occupational Health and Safety Act**

- **Workplace Safety and Insurance Act, 1997**
- **Public Sector Labour Relations Transition Act, 1997**
- **Public Sector Dispute Resolution Act, 1997**
- **Colleges Collective Bargaining Act**
- **Pay Equity Act**
- **Pension Benefits Act**
- **Crown Employees Collective Bargaining Act, 1993**
- **Social Contract Act, 1993** (*historical legislation that no longer applies but may be relevant in historical labour relations discussions*)
- **Agricultural Employees Protection Act, 2002**
- **Hospital Labour Disputes Arbitration Act**
- **Public Service of Ontario Act, 2006**
- **Education Act**
- **Ambulance Services Collective Bargaining Act, 2001**
- **Community Safety and Policing Act, 2019** (*replaced the former Police Services Act*)

Not every statute applies to every workplace. The legislation that governs a worker's rights depends on factors such as the employer, the industry, whether the workplace is provincially or federally regulated, and the terms of any applicable collective agreement.

As a Steward, you will always start with the Collective Agreement.



NOTE TAKING: DOCUMENT, DOCUMENT, DOCUMENT

If you don't note it, it didn't happen!

Taking notes is a learned skill that will develop over time.

Every note should contain:

- Date/Time
- Unit
- Steward Name
- Member Name
- Employer Name(s)
- Reason for meeting
- Who said what (Who, What, Where, When, Why and sometimes How)
- What happens next (another meeting, contact, etc.)



Other things that can be noted:

- Fill in additional information you remember after the meeting (leave space if you are handwriting them).
- Note any documents provided or submitted.
- Note any behaviour or tone.
- Note anything the members tells you, they may have not shared with the employer that may be relevant.
- Any follow up noted by the employer (ie/ another meeting or if the member is to provide further information, etc.)

Date/Time:	Unit:
Union Member First Name	Last Name:
Location:	Steward:
Management:	
Reason for meeting:	
Follow up required: No [] Yes:	
Observations (tone, messaging, etc.):	

Hard copies of the steward note template are available at the office.

The first page and additional lined pages.

Note templates are on the website for handwritten and digital!

[Steward Supports - CUPE Local 5167 \(cupe5167.org\)](http://cupe5167.org)

ALWAYS REREAD YOUR NOTES PRIOR TO SUBMITTING TO THE UNION

and fill in any blanks or unfinished notes.

Don't forget:

- You can ask the employer to meet with the member before the meeting (does the member know why they are meeting).
- You can ask the employer to slow down.
- You can ask the employer to repeat themselves.
- You can ask the employer to spell something or a name.
- You can ask the employer to take a break during the meeting to take a breather, get clarification or call the union in circumstances that cannot wait (agreeing to a settlement in lieu of filing a grievance).
- **Before the meeting talk to the members** and advise them to remain calm and cool. Work out a signal for them to stop talking if they get upset or get off topic. For example: If I touch your arm, stop speaking immediately.
- Advise the member to speak only to the issue being addressed, be short and truthful.

Paper or digital?

Digital allows for speed. However, may not be accessible (computer or phone app).

Paper allows for better recall for learning purposes (courses and studying).



It is essential you review your notes before submitting them to the local to ensure you have captured everything you remember.

You can send your notes to print@cupe5167.org , ensure you cc your unit vice president or drop them off to the office.

Do not keep copies of notes, this is a confidentiality issue. If you were to need to review your notes for a grievance or arbitration, the union would provide them for preparation.

Don't forget, you can ask the employer or speak to slow down, repeat or clarify.



From time to time, you may be required to represent a Member in meetings with Management. These meetings may include fact-finding discussions or steps within the grievance process under the Collective Agreement. As a Steward, your role is to support and advocate for the Member while helping maintain a respectful and professional relationship with the employer.

It is important to keep your Unit Vice President informed of workplace issues and developments. Provide updates by phone or secure personal email, being mindful of confidentiality at all times. Do **not** use the employer's email system for union-related communication.

When representing a member, you should:

- Ensure the Member understands the purpose of the meeting.
- Support the Member throughout the discussion.
- Help clarify questions or responses when appropriate.
- Ensure the Collective Agreement and workplace policies are respected.
- Take notes for union records.

Prior to the meeting discuss with the member:

- Is the member aware of why they are meeting? (Did something happen in the workplace, an incident or did they witness something?)
- Work out a gesture or sign (example, touch the member's arm if they are comfortable with that or place a flat hand on the table, etc.) in the event the member should stop talking. Are they getting off topic or getting agitated?
- How long have they worked for the employer?
- Do they have a history of workplace issues and/or previous discipline?

- Is there any other information you should be aware of? Personal issues, mitigating circumstances? (for example, recent separation, changes, health issues, etc.)

During the meeting:

- Be clear as to what the meeting is about: ie/ Discipline, Fact Finding, Coaching, etc.
- Take notes, ask management to repeat something if need be.
- Ask questions if you need clarification to understand the issue.
- Ask for a copy of any correspondence/policy given to the member (for the file).
- If you or the member needs a break, request a break, contact the union if you need support.

After the meeting discuss with the member:

- Is there any other information you should be aware of? Personal issues, mitigating circumstances? (for example, recent separation, changes, health issues, etc.)
- **Ensure your notes and additional documents are taken to the Union Office.**
- Update the Unit Vice President.
- Does the member want to file a grievance if they were disciplined?
- Does the member understand the process?
- Does the member need additional supports or referrals?
- Contact the union for assistance if you need to or direct the member to contact the union directly themselves.

HANDLING GRIEVANCES

For the purposes of Steward responsibilities, we will only be looking at Individual grievances. Stewards should consult with their Unit Vice President about any potential group or policy grievances. The Unit Vice President is the lead of all grievances in coordination with the Grievance Committee.

The first step is to ask the question, is there a grievance?

What is the violation of the Collective Agreement?

ALWAYS REVIEW THE COLLECTIVE AGREEMENT!

3 STEP FORMULA TO IDENTIFY A POTENTIAL GRIEVANCE

As a Steward you will hear complaints about something on the job. Part of your role is to determine whether the grievance procedure is the right course of action in response to complaints or issues, or whether another course of action makes more sense.

To help determine whether or not these are legitimate grievances, there is a three-step formula that you can follow:

1. Identification
2. Investigation
3. Documentation

1. Identification:

What is the grievance?

- Violation the contract
- Violation of a policy or procedure
- Violation of an established past practice



- Violation health and safety (check with your JHSC Worker Rep or Second Vice President)
- Acted in a manner of harassment or discrimination

2. Investigation

A grievance case is only as strong as the investigation behind it. Good investigations start with **talking to people** and **gathering facts**. Weak investigations can hurt both the grievant and the union's credibility.

Get the full story – clearly, accurately, and from multiple perspectives, and ensure you take notes!!

The **grievance fact sheet** is a good tool to use during your investigation and is a requirement of submitting a grievance.

- Who was involved? Names of all people involved, including witnesses
- What happened? Clear description of the event or action
- Where did it happen? Exact location (room, worksite, area, etc.)
- When did it happen? Date and time; note if it was during a shift, break, overtime, etc.

3. Documentation

Documentation is the evidence required to substantiate the position of the issues.

Examples of documentation (not limited to):

- Dates, times, and locations of incidents
- Witness names and contact information
- Copies of emails, letters, policies, schedules, and other relevant documents.
- Photographs or other evidence when appropriate
- Explained grievance process

If it isn't documented, it can be difficult to prove. Good notes tell the story of what happened and provide the evidence needed to support a member's case

The Grievance Process

Each Collective Agreement will have the steps laid out. **Please note timelines are extremely important.** An employer will deny the grievance if they are filed outside of the agreed timeline. Each side may ask for extensions based on mitigating circumstances.

The general grievance outline is:

PRE-GRIEVANCE: (review your Collective Agreement) There may be a step in your Collective Agreement or just good practice to talk to the Supervisor to resolve the concern prior to filing a grievance.

STEP ONE: You may meet within X days (review your Collective Agreement) of the grievance being filed with your Supervisor or Manager to discuss the issue. **A Union Representative will be with you.** This usually takes place at your workplace. After the meeting the Employer will issue a response in writing either denying the grievance, or an offer to settle the grievance may have been worked out at the meeting.

STEP TWO: If there is no settlement the Union can re-submit the grievance within X days (review your Collective Agreement). **The Member, Grievance Committee and Employer will meet at Human Resources** to try to resolve the grievance. The Employer will issue a response within X days (review your Collective Agreement).

GMO (MEDIATION): If the grievance remains unresolved, both parties may consent to General Mediation. Mediation will take place at Human Resources. **The Member and the Grievance Committee are in one room and the Employer in another.** A mediator will go between rooms trying to assist in a settlement.

ARBITRATION: In the event GMO is not accepted or does not resolve the grievance, the Grievance Committee will recommend if it should proceed to arbitration. Arbitration is usually booked approximately a year away. The Member will have representation arranged through the Union. **Please note that any outcome from an arbitration will be a matter of public record.** Arbitration is a court like setting. The Arbitrator will hear both sides of the case. The Member and potential witnesses will testify and be cross examined. Arbitration is final and binding.

GRIEVANCE FORM

GRIEVANCE # **OFFICE WILL COMPLETE** ☐ INDIVIDUAL ☐ GROUP ☐ POLICY

GRIEVOR CELL
ADDRESS CITY
PERSONAL EMAIL POSTAL CODE

FILL OUT THE MEMBER INFORMATION

WORKGROUP
AIRPORT (A) DARTS INSIDE (I) DARTS OUTSIDE (O) CITY INSIDE (I)
GOOD SHEPHERD (G) MACASSA LODGE (M) CITY OUTSIDE (O)
ROYAL BOTANICAL GARDENS (R) WENTWORTH LODGE (W) ST. MATTHEW'S HOUSE (S)

CHECK THE APPROPRIATE BOX

EMAILED TO: LABOUR RELATIONS **OFFICE WILL COMPLETE** MANAGEMENT **SUPERVISOR NAME**

I/WE PROTEST AND GRIEVE THAT THE EMPLOYER HAS VIOLATED THE COLLECTIVE AGREEMENT, INCLUDING BUT NOT LIMITED TO ARTICLE # **WHAT ARTICLES APPLY?** AND ANY OTHER APPLICABLE ARTICLES, ACTS AND OR LEGISLATION.

WHAT IS THE GRIEVANCE?

1. I WAS UNJUSTLY DISCIPLINED WITH A 5 DAY SUSPENSION ON "INSERT DATE.
2. I WAS UNJUSTLY DENIED OVERTIME ON "INSERT DATE".
3. THE EMPLOYER UNJUSTLY DENIED INCOME PROTECT FROM INSERT DATE TO INSERT DATE.

THEREFORE, I/WE REQUEST FULL REDRESS INCLUDING BUT NOT LIMITED TO

1. THE COMPLETE REMOVAL OF DISCIPLINE, TO BE REIMBURSED ALL LOST WAGES, BENEFITS, SENIORITY AND OTHERWISE BE MADE WHOLE.
 2. TO BE REIMBURSED THE LOST OVERTIME WAGES, BENEFITS AND OTHERWISE BE MADE WHOLE.
 3. TO BE REIMBURSED ALL LOST INCOME BENEFITS AND OTHERWISE BE MADE WHOLE.
- ANY OTHER REDRESS DEEMED APPROPRIATE BY THE UNION, BOARD OF ARBITRATION OR SOLE ARBITRATOR.

STEWARDS/EXECUTIVE **SIGN AND DATE** GRIEVOR
DATE DATE

OFFICE USE ONLY GRIEVANCE DESCRIPTION **OFFICE WILL COMPLETE**

Grievance Fact Sheet

[For Local Use Only]

MEMBER TO FILL OUT THIS INFORMATION

IMPORTANT TO ENSURE WE HAVE A PERSONAL EMAIL AND CONTACT NUMBER TO ENSURE THE MEMBER IS ADVISED OF NEXT STEPS.

Grievor's Name _____ Employee # _____
Department _____ Section _____
Job Title _____ Seniority _____
Home Address _____
City _____ Postal Code _____
Home Phone _____ Cell _____
Email _____

Grievance Details-Who? What? Where? When? (Include additional pages as needed and supporting documents)

****A COPY OF ANY LETTER FROM EMPLOYER.**

THE MEMBER FILLS THIS OUT WITH ALL INFORMATION REGARDING THEIR GRIEVANCE. ADDITIONAL EMAILS, PHOTOS, PAYSTUBS, OR ANYTHING THAT SUPPORTS THEIR POSITION.

Witness Names _____

NAME AND CONTACT INFORMATION

Resolve (What are you looking to get out of filing the grievance?)

MANAGE EXPECTATIONS IF POSSIBLE.

If your grievance is related to a Job Competition please include the call number, attach the original posting and a copy of your resume.

MEMBER SIGN AND DATE

Grievor Signature _____

Date _____

Additional pages can be submitted.

GREIVANCE EXAMPLES

Grievance 1: Position

A Member applied for position, passed testing, and failed the interview.

Advise the Member to follow up with employer, meet to review test results (debrief).

File a grievance

- ✓ RBG CA Article 2, 15, 33
- ✓ Article 2 Employer Responsibility
- ✓ Article 15 Promotion and reduction of staff
- ✓ Article 33 No discrimination/ harassment

Tell the Member to provide a grievance fact sheet, copy of resume, copy of job posting/description, and any communications from employer re job/testing, etc.

Grievance:

The employer unfairly graded my interview for the INSERT NAME OF POSITON position. I believe I should have passed the interview and been awarded the position.

Redress:

To be awarded the position of INSERT NAME OF POSITOIN, reimbursed any lost wages, benefits, seniority and otherwise be made whole.

Grievance 2: Discipline

A Member ran a red light in a company vehicle.

The Member attended CRB (Collision Review Board – City Employer) and was issued 20 demerit points. The Member was issued a one-day suspension.

Advise the Member to provide grievance fact sheet and any related information (weather report, driving record, etc.)

File a grievance

- ✓ City 2, 15 & CRB
- ✓ 2 Employer Responsibility
- ✓ 15 Discipline
- ✓ Collision Review Board

Grievance:

The employer unfairly disciplined me with a one-day suspension on INSERT DATE.

Redress:

To remove the CRB decision and demerit points from my file, reimbursed any lost wages, benefits, seniority and otherwise be made whole.

GREIVANCE CHECKLIST

- Are you filing the grievance within the timeline? (Review you CA)
- Is there any other information you should be aware of? Personal issues, mitigating circumstances that impacted the situation? (for example, recent separation, changes, health issues, etc.)
- **Have the member complete the FACT SHEET.**
- Explain the grievance process to the member.
- Do you have all the supporting documentation? (Copy of the discipline letter, an email that is related, a copy of the schedule, job description, resume, etc.)
- You and the member signed and dated the grievance.
- **Ensure your notes and additional documents are taken to the Union Office.**
- Update the Unit Vice President.

Most Common Grievances:

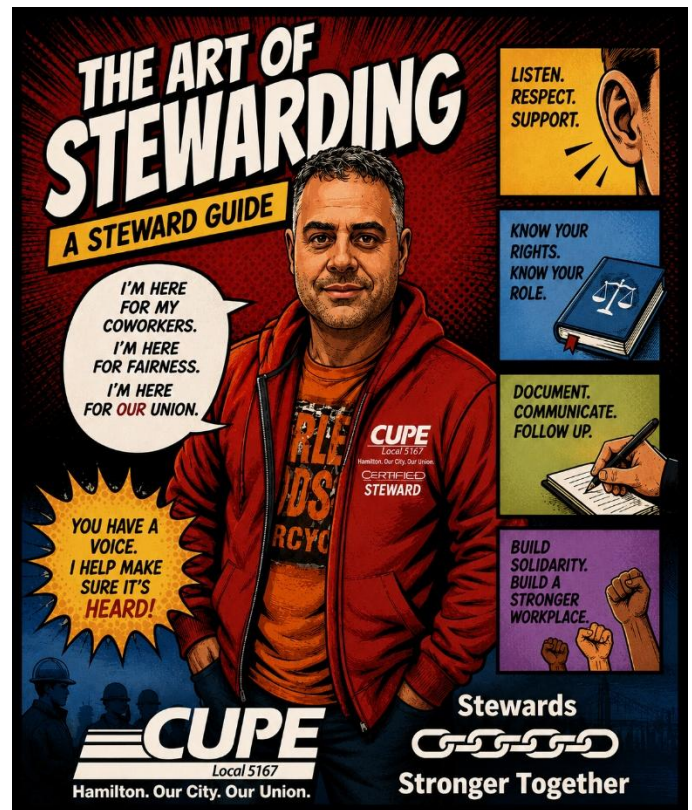
- Overtime
- Discipline
- Income Protection Plan (IPP)
- Termination



THE ART OF STEWARDING

The Art of Stewarding includes:

- Being the eyes and ears in the workplace and connecting with your Unit Vice President.
- Being calm when others are emotional.
- Listening more than talking.
- Recognizing anxiety versus facts.
- Asking questions.
- Knowing when not to speak.
- Earning credibility.
- Remaining objective.
- Separating personal opinions from union representation.
- Maintaining professional boundaries.
- Solving problems instead of escalating conflict unnecessarily.
- Filing a grievance when the Collective Agreement has been violated.
- Representing members in front of management when they are called in.



These are often the skills that distinguish an effective Steward from someone who simply knows the Collective Agreement.

DUTY OF ACCOMMODATION

Please have the member connect with the Second Vice President directly at secondvp@cupe5167.org

The duty to accommodate means an employer must make every reasonable effort to allow an employee to perform their job without discrimination based on a protected ground, **up to the point of undue hardship**.

The goal is **equal opportunity**, not special treatment.

The duty to accommodate is about removing workplace barriers so employees can participate equally. It is a **shared responsibility** between the employee, employer, and union, and continues until reasonable accommodation has been provided or the employer can demonstrate that further accommodation would cause undue hardship.

The duty to accommodate does not require the employer to remove the **core essential duties of a position**. The goal is to remove barriers and adjust how work is performed so the employee can continue to participate meaningfully in the workplace. If they cannot perform those essential duties even with reasonable accommodation, the employer and employee may need to explore other available work that fits within the employee's restrictions and limitations. This could eventually lead to looking for work outside of the employer.

Types of Accommodations:

Medical

- Modified duties
- Graduated return to work
- Ergonomic equipment
- Flexible scheduling
- Additional breaks
- Work from home (where appropriate)

The member is not required to share their medical diagnosis. They are to provide objective medical to support limitations.

Religious

- Time off for religious observances
- Flexible scheduling
- Dress accommodations

Family Status

- Temporary schedule changes for childcare or eldercare obligations

HELPFUL TIPS FOR THE MEMBER:

- **Request accommodation early.** Don't wait until your health or attendance becomes a more serious issue.
- **Be honest about your limitations.** Focus on what you can and cannot do rather than what job you want.
- **Provide appropriate medical information.** Your healthcare provider should identify your functional abilities and restrictions—not your diagnosis.
- **Participate in the process.** Be prepared to discuss options and provide updated information if your restrictions change.
- **Keep copies of all documentation.** Save medical notes, emails, accommodation plans, and meeting summaries.
- **Communicate changes promptly.** Let your employer know if your condition improves, worsens, or your restrictions change.
- **Be open to reasonable alternatives.** The employer is not required to provide your preferred accommodation if another effective option is available.
- **Understand that accommodation may evolve.** Restrictions, duties, and accommodations may need to be reviewed over time.
- **Ask questions.** If you do not understand your accommodation plan or your responsibilities, seek clarification.

DUTY OF FAIR REPRESENTATION (DFR)



A member may choose to file a DFR with the Ministry of Labour. The **Duty of Fair Representation** does **not** require the union to win every case or pursue every grievance. It requires the union to make informed, honest, objective, and fair decisions after conducting a reasonable investigation.

It is important to remember that members are personally affected by workplace issues. They may be experiencing stress, frustration, or fear. Most DFR complaints arise because members are upset with the outcome and do not understand all the factors; it is not necessarily because the union made the wrong decision. Good decisions are based on evidence—not emotions, assumptions, or workplace politics.

The Three Principles of DFR

A union must not act in a manner that is: arbitrary, discriminatory or bad faith.

Arbitrary An arbitrary decision is one made without adequate investigation or thoughtful consideration.

Examples include:

- Refusing to investigate a complaint.
- Ignoring relevant evidence.
- Making decisions based on assumptions or opinions.

Discriminatory A union cannot treat members differently because of personal characteristics protected by law or because of personal bias.

Examples include:

- Favouring friends over other members.
- Refusing assistance because someone is unpopular.

- Treating members differently based on race, sex, disability, religion, age, family status, sexual orientation, gender identity, or other protected grounds.
- Every member deserves equal access to representation.

Bad Faith Bad faith involves dishonesty, improper motives, or acting for personal reasons rather than in the member's best interests.

Examples include:

- Intentionally misleading a member or withholding information.
- Refusing representation because of a personal conflict.
- Retaliating against a member.

A well-documented investigation, clear communication, and consistent treatment of members are the foundation of fulfilling this legal duty and maintaining trust in the union.

Grievance Withdrawal: The union may determine that a grievance should not proceed or be withdrawn based on the merits of the case.

Examples include:

- No violation of the collective agreement.
- Insufficient evidence.
- The grievance was filed outside contractual timelines and cannot be remedied.
- The matter has already been resolved. Arbitration decisions clearly indicate the grievance has little or no chance of success.
- Another process is more appropriate (e.g., WSIB, Human Rights Tribunal, accommodation process, or health and safety procedure).

The member receives a grievance withdrawal letter and explanation of the decision and the reasons behind it. The members are advised they have the right to appeal to the Executive Board.

Scenario 1:

A member comes to you and says I should have been given overtime on Saturday, but they called in so and so who has less seniority.

What do you do?

- Ask more questions, were they off at all, get specific date/time/situation
- Go to the Supervisor and ask about the OT, if not able to resolve, review facts of the case and potentially file a grievance
- Have the member fill out the grievance fact sheet
- Review seniority list
- File the grievance - Overtime

Scenario 2:

A member comes to you and says they applied for a position and was not successful and a junior employee got the job.

What do you do?

- Ask more questions, what is the position, did they test and/or interview
- Did they call the HR talent specialist and ask for a debrief?
- Have the member fill out the grievance fact sheet and provide a copy of their resume.
- File the grievance - Position

Scenario 3:

A member comes to you and says they are being harassed by a coworker and management has done nothing.

What do you do?

- **Call your Unit VP for direction or have the member connect directly with the Unit VP**
- Has the other member(s) spoken to you? (conflict)
- Be mindful of workplace dynamics, gossip and confidentiality.
- Ask more questions
- Has the member been taking notes
- Has the member reviewed the employers' policies and/or procedures regarding harassment in the workplace
- Who did they speak with and when (Did they speak with their supervisor? If the respondent is a supervisor, did they speak to the Manager?)
- Have they contacted HR and made a formal complaint
- The member must complete a grievance fact sheet and provide any notes/evidence/witnesses to support their complaint
- The member must provide information and facts to address the situation, sometimes the member does not want to go on the record for various reasons, however, union representatives cannot address these situations without specific examples and documentation. The member must go on the record if they want resolve.

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[illegible]

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