

Grievance Procedure

Reviewed Date		Number	<i>HR0305</i>
Revised Date	<i>March 3, 2010</i>	Approved Date	<i>December 19, 1990</i>

Introduction

Simcoe Muskoka District Health Unit is committed to providing fair and equitable treatment for all employees, eliminate dissatisfaction, and resolve problems so that constructive and productive relationships can be maintained for the benefit of all.

Purpose

The purpose of this policy is to inform Simcoe Muskoka District Health Unit Board of Health members, employees, students and volunteers of the Grievance procedure.

Legislative Authority

N/A

Policy Definitions and Interpretation

N/A

Policy

Any employee may present a complaint at any time, without recourse, against the employer if he/she has been discriminated against, discharged, or disciplined without just cause or has been otherwise dealt with unjustly pertaining to the specific provisions of these policies. All grievances shall be in writing and shall contain a statement of facts giving rise to the grievance and shall be filed in accordance with the procedures outlined below.

When an employee believes any condition affecting him/her is unjust, inequitable, a hindrance to effective operation, the employee should use the following procedure for the solution of such problem(s) without fear of recrimination.

Procedures

1. The employee will bring the situation to the attention of his/her immediate manager within 10 working days of the occurrence of the problem creating the grievance by completing a Grievance Report Form, HR0305(F) explaining the cause of the problem, the problem itself in factual detail, and a recommended solution if possible.
2. After reviewing the grievance, the manager will investigate and provide, in writing, a solution or an explanation to the employee within five (5) working days.
3. In the event the manager fails to respond to the grievance within five (5) working days, the employee may proceed to Procedure #4.

4. If the response the manager gives the employee does not resolve the situation, the employee will be allowed five (5) working days to refer the problem in writing to the Director. The Director, after review and discussion as deemed appropriate, will provide, in writing, an answer to the employee within five (5) working days of the Director's receipt of the grievance. In the event the Director fails to respond to the grievance to the satisfaction of the grievor within five (5) working days, the employee may proceed to Procedure #5.
5. If the employee is dissatisfied with the solution provided by the Director, he/she may have an additional five (5) working days to appeal the grievance to the Medical Officer of Health. When the Medical Officer of Health receives the Grievance Report, he/she will determine if procedures (1) to (4) were followed. If procedures (1) to (4) have been followed, he/she will:
 - talk with the employee to get further clarification of the problem;
 - talk with the manager and director to get further clarification of the problem;
 - if necessary, schedule a meeting between the employee, the Director and the Medical Officer of Health. Both the employee and the Director may have one additional representative at this meeting. The Medical Officer of Health will record all proceedings of the meeting and will provide all concerned with copies of the minutes of the meeting;
 - after careful consideration of all facts, but within five (5) working days, the Medical Officer of Health will render a decision in writing to the employee and inform the Chairman of the Board.
6. Where a grievance has not been settled after exhausting the Grievance Procedure outlined by this policy, either party may submit the grievance to the Board of Health for a final hearing and decision.

Related Policies

HS0112 Harassment
HS0109 Workplace Violence
HS0108 Sexual Harassment
ONA Collective Agreement

Related Forms

HR0305(F) - Grievance Report

Final Approval Signature: _____

Review/Revision History:

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