

Grievance Procedure for Non-union and Managerial Staff

Reviewed Date		Number	<i>HR0305</i>
Revised Date	<i>January 8, 2020</i>	Approved Date	<i>December 19, 1990</i>

Introduction

Simcoe Muskoka District Health Unit is committed to providing fair and equitable treatment for all non-union and managerial employees, eliminate dissatisfaction, and resolve problems so that constructive and productive relationships can be maintained for the benefit of all. Accordingly, in order to facilitate this non-union and managerial staff have access to a grievance procedure similar in nature to that contained within a Collective Agreement.

Purpose

The purpose of this policy is to inform Simcoe Muskoka District Health Unit Board of Health members, non-union and managerial employees of the non-union and managerial staff grievance procedure.

Legislative Authority

N/A

Policy Definitions and Interpretation

Non-union and Managerial Staff: means non-union and managerial full time, part time, casual and temporary paid employees.

Policy

Any non-union or managerial employee may present a complaint in the form of a formal written grievance within ten (10) working days after the circumstances giving rise to the grievance has occurred, without reprisal, against the employer if they have been: discharged with cause, disciplined without just cause or has in their opinion been otherwise dealt with unjustly pertaining to a specific provision of an SMDHU policy. All grievances shall be in writing and shall contain a statement of facts giving rise to the grievance, the resolution requested and shall be filed in accordance with the procedures outlined below. The ten (10) working day filing period is mandatory and is to be strictly adhered to in order that grievances are able to be resolved in a timely manner for all parties.

Allegations of harassment shall not be the subject of a grievance as they may be adequately dealt with under Policy HS0112: Harassment Response Policy and Program. There is no retroactivity and as such past grievances that were able to have been filed in a timely manner under the prior policy are not eligible to be filed under the new policy.

Procedures

1. The employee will first be required to bring the situation to the attention of their immediate supervisor within ten (10) working days after the circumstances giving rise to the grievance has occurred by submitting a Grievance Report form, HR0305(F) explaining the cause of the problem, the problem itself in factual detail, and the resolution requested.
2. The immediate supervisor shall then arrange to meet with the employee within ten (10) working days after having received the written grievance. After having met with the employee and having reviewed the grievance, the immediate supervisor will investigate and provide their decision in writing within five (5) working days following the grievance meeting, unless an extension is requested by either party.
3. In the event the immediate supervisor fails to respond to the grievance within five (5) working days, and an extension has not been requested, the employee may proceed to step #4,
4. If the response the immediate supervisor gives the employee does not resolve the situation, the employee will be allowed five (5) working days to refer the Grievance Report form to the Vice President. The Vice President shall then arrange to meet with the employee within ten (10) working days after having received the Grievance Report form. After having met with the employee and having reviewed the grievance, the Vice President will investigate and provide their decision in writing within five (5) working days following the grievance meeting, unless an extension is requested by either party.
5. In the event the Vice President fails to respond to the grievance within five (5) working days, and an extension has not been requested, the employee may appeal to the final step with the Medical Officer of Health.
6. In the case of a managerial employee grievance such grievance shall commence at the Vice President level.
7. If the employee is dissatisfied with the solution provided by the Vice President, they may have an additional five (5) working days to appeal the grievance by submitting the Grievance Report form to the Medical Officer of Health. When the Medical Officer of Health receives the Grievance Report Form, they will first determine if procedures (1) to (4) were followed. Only if procedures (1) to (4) have been properly followed, they will:
 - Schedule a meeting between the employee and the Medical Officer of Health. Both the employee and the Medical Officer of Health have the option of having one additional internal support person at this meeting. An employee's internal support person shall be an HR Generalist.
 - Notwithstanding, at any time in order to get clarification of the issue, the Medical Officer of Health may elect to talk to either or both the employee, immediate supervisor or Vice President.
 - After careful consideration of all facts, and within five (5) working days, unless an extension is requested by either party, the Medical Officer of Health will render a decision in writing to the employee which will be the final decision of the agency regarding the grievance.

Related Policies

HS0112 Harassment Response Policy and Program

Related Forms

HR0305(F) - Grievance Report

Final Approval Signature: _____

Review/Revision History:

Revised: September 25, 1996

Revised: March 3, 2010

September 2010 Policy re-numbered, previous number B3.160

Revised January 8, 2020