



he GAVEL

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The GAVEL, a platform for sharing information on labour and employment issues affecting our workplaces.

One of the great benefits of belonging to a union is having support and resources when it comes to problem-solving in the workplaces. As members, we all strive for stability in our workplaces as we attempt to balance the expectations of our employers and our collective bargained rights.

We know there will be disagreements with employers, and as challenging as it can be, differences cannot always be resolved the moment they arise. In this issue of The Gavel, we explore the benefits of the Expedited Arbitration/Advance Dispute Resolution process and how it can benefit the members.

EXPEDITED ARBITRATION or ADVANCED DISPUTE RESOLUTION

There can be many benefits to the Expedited Arbitration or Advanced Dispute Resolution. The ability to provide a speedy and efficient process for resolving workplace disputes. Unions work to enshrine the process into collective agreements. Traditionally, arbitrations were conducted by a panel of three arbitrators: one nominated by the employer, one nominated by the union, and a neutral chairperson jointly selected. This arbitration process could take several days to complete and witnesses may be required to provide evidence. Many of the collective agreements negotiated on behalf of Local 2002 members have an agreed-to process which uses a single arbitrator, while some agreements still utilize a panel of arbitrators.

Both processes provide an opportunity for a simplified resolution process that often gives resolution to workplace disputes in a short period of time. The format and procedures for expedited/advanced arbitration are

subject to the agreement of both parties. The arbitrator has control over the procedure as outlined in the terms set out prior to the beginning of the arbitration.

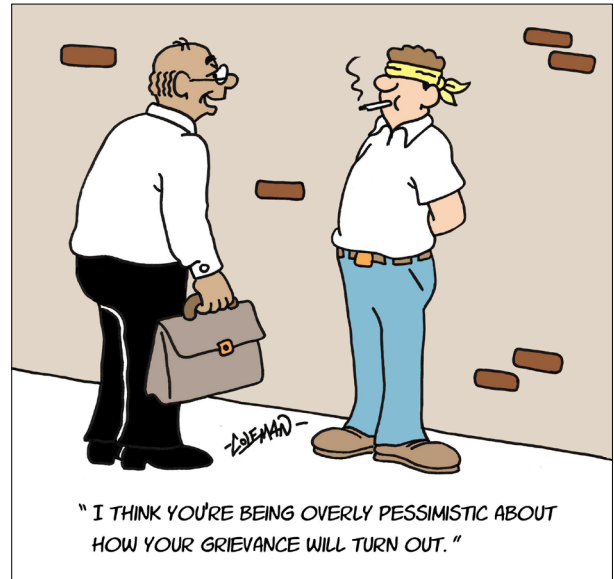
Arbitrators often use mediation-arbitration or the “MED-ARB” processes. With the agreement of the union and the employer, the arbitrator can seek a resolution of the dispute using mediation techniques. Without a specific MED-ARB process, Arbitrators frequently mediate labour/management disputes, prior to proceeding with the arbitration hearing. The mediated/arbitration process is designed to give the flexibility and to provide for a dispute resolution method that serves the needs of both union and the employer.

This process allows a grievance to be settled by a single arbitrator within an agreed to time limit.

2018 BY THE NUMBERS

Region	Number of members	Number of grievances filed
Atlantic	1,342	75
Eastern	2,596	87
Central	5,837	289
Western	1,656	39
Pacific	2,393	60

Source: Unifor Local 2002 Grievance Coordinator, August 2018.



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MOST FREQUENTLY FILED GRIEVANCES

1. Discipline (letter on file/suspension), example time and attendance
2. Policy grievances, for example, violations regarding the general application or interpretation of language in the collective agreement
3. Scope violations, example manager/supervisor performing our work
4. Terminations - examples, time and attendance, probationary employees

Terminology

Bona fide

A Latin phrase meaning “good faith.” Normally it is used to mean real, actual or genuine.

Quid pro quo

A Latin phrase meaning literally, “What for what.” The phrase describes an implied or expressed expectation that one party will get something for something else given up.

Subpoena

A process document issued out of court requiring a witness to attend.

We welcome your feedback.
 Please email: grievances@unifor2002.org
 Cette publication est également disponible en français.