

Grievance and Member Disputes Policy

The University of Lethbridge Faculty Association (ULFA) recognizes its responsibility under the Alberta Labour Relations Code, the Post Secondary Learning Act and The Academic Staff Collective Agreement to represent Members fairly, in good faith, without discrimination, and in accordance with its duty of accommodation and duty of fair representation obligations.

Decisions to represent a Member are made through the process established by the bylaws of the Association, ULFA policies and in accordance with the Academic Staff Collective Agreement, in particular, through a discussion and vote of the Grievance Committee to recommend to the Executive Committee that a Grievance be filed and a discussion and vote of the Executive Committee to then file that Grievance. Grievance procedures are set out in Article 9 of our Academic Staff Collective Agreement. ULFA's bylaws further articulate how the Grievance Committee and Executive Committee handle grievance matters.

Duty of Fair Representation

The union owes a duty of fair representation (DFR) to Members. This duty requires that the union (ULFA) shall not act in a manner that is arbitrary, discriminatory, or in bad faith in the representation of any of the employees in the bargaining unit, and is described in the Alberta Labour Relations Code section 153(1).

Confidentiality

Measures are taken to ensure the confidentiality of Members throughout all grievance processes, including their identity and any material facts they do not want to be disclosed. However, ULFA cannot guarantee anonymity to any Member throughout the grievance process. Depending on the nature and facts of the case, a Member's identity may become known to Members of the Grievance Committee, Executive Committee, and/or ULFA may need to identify the individual to Board of Governors representatives in formal documents. ULFA does not generally reveal the identity of grievors to the membership at large. In the event a grievance case proceeds to arbitration, it is likely that the impacted Member's name will be published in the arbitrator's decision. Members will be consulted through the grievance process about what information is being disclosed.

Member-to-Member Disputes

In cases where ULFA Members have disputes with each other, it is incumbent on the Board of Governors to address the issues, including through Members' Deans and Human Resources policies and procedures. Where the Board fails to adequately address issues in the workplace, ULFA may become involved. ULFA's role is to ensure that the Board fulfills its obligations, and grievances can be considered in cases where the Board fails to fulfill its legal and contractual obligations to ULFA Members.

When ULFA Members share information with the Association, they should expect that certain parts of ULFA (including the Grievance Committee, Executive Committee, and involved ULFA staff members)

will be provided access to all information relevant to the Association's effective representation of Members and decision-making.

In cases where a Member wishes to have an individual support person who is only familiar with their side of issues, the Member may appoint such a person themselves, or the Association will make an effort to appoint such a person on their behalf. Such a support person must be an active ULFA Member. Any exceptions to this requirement must be approved by the ULFA Executive.

Member Responsibilities

All ULFA Members seeking the Association's assistance, including but not limited to filing grievances on their behalf, have several obligations. These include, but are not limited to:

- Providing all information relevant to a matter in a timely fashion;
- Being honest and transparent about the relevant facts of a situation;
- Answering queries when asked and responding to correspondence in a timely fashion;
- Treating Association representatives, including elected Members and staff, with respect;
- Considering potential solutions offered in good faith.

Where any of these responsibilities are alleged to be breached, the Member will be informed and offered an opportunity to remedy the breach. Where a Member does not abide by these responsibilities and fails to come into compliance with them when requested, the Association may choose to cease representing that Member. Such a decision will be undertaken by the Executive Committee, and the Member will be duly informed of such a decision, and the reasons for it.

Approved by the Executive Committee, Meeting No. 15, January 8th, 2025

Previous Versions:

Approved by the Executive Committee, Meeting No. 21, April 16, 2009

Approved by the Annual General Meeting, April 29, 2009