
Grievance Adjudication

Policy Number:	4303
Key Process Area:	Employee Engagement & Culture
Owner:	VP FA
Current Approved Date:	Oct 24, 2018

POLICY STATEMENT

Where a non-union employee has presented a grievance up to and including the final level in the grievance process with respect to disciplinary action resulting in discharge, suspension, or a financial penalty and the grievance has not been dealt with to the employee's satisfaction, the grievance can then proceed to adjudication as per the *Public Service Labour Relations Act*.

PURPOSE

Not applicable.

SCOPE AND LIMITATIONS

This policy applies to non-union employees.

Exceptions to the grievance adjudication policy include:

- a) a person appointed by the Lieutenant-Governor in Council under the Act of Legislature to a statutory position described in that Act and to whom the Civil Service Act does not apply
- b) a person locally engaged outside the province
- c) a person whose compensation for the performance of the regular duties of their position or office consists of fees of office, or is related to the revenue of the office in which they are employed
- d) a person not ordinarily required to work more than one-third (1/3) of the normal period for persons doing similar work
- e) a person employed on a casual or temporary basis, unless they have been employed for a continuous period of six months or more
- f) a person employed by or under the Public Service Labour Relations Board.

1.0 DEFINITIONS

Not applicable.

2.0 IMPLEMENTATION

The Public Service Labour Relations Act, Regulations 84-130 sections 58-65 applies to any adjudication at NBCC and clearly defines the roles and responsibilities of the Chair of the Labour Relations Board, the employee, and the employer. NBCC is committed to following this regulation.

2.1 General

- 2.1.1** A spokesperson may be employed to represent a non-union employee during the adjudication process.

- 2.1.2** The time limits established for the presentation of a grievance or the serving or filing of a notice, reply or document may be extended either before or after the expiration of the time by agreement of the parties, or in some instances by the Chair of the Public Service Labour Relations Board, or by the Public Service Labour Relations Board upon application by one of the parties.

3.0 OTHER RELATED DOCUMENTS

Public Service Labour Relations Act

Public Service Labour Relations