

## CHAPTER 12: GREIVANCE PROCEDURES

### 12.1 GENERAL:

This policy is designed to guide the ICC in handling interpersonal problems fairly and respectfully. It will not necessarily lead to the resolution of interpersonal problems. ICC members and staff are encouraged to try to work problems out on a personal level, perhaps with the help of a mediator, before resorting to formal grievance procedures. ICC members and staff are advised that they have legal rights separate from this policy. Staff and members should consult a counselor, personal lawyer, university or government provided legal services to discuss their circumstances.

### 12.2 STAFF AGAINST A MEMBER:

**12.2.1** Appropriate circumstances for a staff grievance against an individual member shall be defined as:

- A. A staff member feels they have suffered personal abuse, verbal, emotional or physical from an ICC Member.
- B. A staff member feels that an ICC Member conducts his or her self in a manner that disrupts the staff's working environment
- C. This is not a procedure for complaints about the competence of a Member's work or their behavior in the co-operative.

**12.2.2** The staff person with a grievance shall write a written complaint and detailed explanation of the offensive event or events and submit a copy to the Coordinating Committee Chair. The submitter may request anonymity in the written statement, in which case the Chair will prepare a copy of the complaint which does not contain the submitter's name. The Coordinating Committee Chair will send a copy of the complaint to the accused Member along with a copy of the grievance procedures for staff against member and for member against staff. The accused member will be informed of the meeting date at which the grievance will be considered and will have the opportunity to give information and defend themselves at that meeting, in person or in writing.

**12.2.3** In the event that the Coordinating Committee feels a staff complaint is valid they shall:

- A. **FIRST VALID GRIEVANCE:** admonishment and warning to the member at fault. (exclusion from the office or an open hearing before the Board may be considered if the offence is very serious.)
- B. **SECOND VALID GRIEVANCE:** member shall be excluded from the office or other workspace and, if the offender is an officer, a request will be made by the coordinating committee to the offender's house that they be replaced.

**12.2.4** In the event that there is a third grievance filed against a particular member, the Board of Directors shall hold an open hearing for expulsion, on the grounds of uncooperative behavior. If the grievance is determined valid, the member will be expelled. (See Bylaw 1.3)

### **12.3 MEMBER AGAINST STAFF OTHER THAN THE GENERAL MANAGER:**

The General Manager is responsible for the fair and equitable resolution of member problems with the staff. Complaints about the behavior of staff should be brought to the General Manager, who may set policy to deal with them. The General Manager will notify the complainer of action taken and include a copy of the grievance procedures for Member against General Manager. If members are dissatisfied with the response of the General Manager to a complaint, they may elect to file a grievance against the General Manager as per SR 12.4.

### **12.4 MEMBER AGAINST THE GENERAL MANAGER:**

**12.4.1** Appropriate circumstances for a member grievance against the General Manager are defined as:

- A. a member feels they have suffered personal abuse, emotional, verbal or physical, from the General Manager.
- B. a member feels that the General Manager conducts his or her self in a manner that disrupts the member's living or working environment.
- C. a member feels that the General Manager has not responded appropriately to a grievance against a staff member

Problems with ICC personal policies, other policies, or with staff performance should be directed to the Board of Directors, via a Board committee, as a proposal to change policy or staffing.

**12.4.2** The member should submit a written grievance to the Coordinating Committee Chair. The submitter may request anonymity in the written statement, in which case the Chair will prepare a copy of the complaint which does not contain the submitter's name. The member should include a detailed description of the offensive event or events and (if the accused is not the General Manager) a description of any discussion with the General Manager about the complaint. The Coordinating Committee chair shall give a copy of the grievance to the General Manager.

**12.4.3** The Coordinating Committee shall hold a meeting(s) to discuss the grievance. At least four days notice should be given to the General Manager and the member who filed the complaint so that they may attend and give information about the problem in person. The two parties need not attend the same meeting. If the grievance is determined valid, the Coordinating Committee may:

#### **12.4.3.1 FIRST VALID GRIEVANCE:**

- A. request action from the General Manager against the offending staff or
- B. give warning to the General Manager.
- C. call a meeting of the Board of Directors to consider termination of the General Manager if the complaint is very serious.

#### **12.4.3.2 SECOND VALID GRIEVANCE:**

- A. give warning to the General Manager or

**B.** call a meeting of the Board of Directors to consider termination.

**12.4.3.3** If a third grievance is filed, then the Coordinating Committee shall call a meeting of the Board of Director to consider termination.

## **12.5 STAFF AGAINST OTHER STAFF:**

The General Manager is responsible for the fair and equitable resolution of problems among the staff. Complaints about the behavior of staff should be brought to the General Manager, who may set policy to deal with them. The General Manager will notify the complainer of action taken and include a copy of the grievance procedures for Staff against General Manager. If staff members are dissatisfied with the response of the General Manager to a complaint, they may elect to file a grievance against the General Manager as per section 12.6.

## **12.6 STAFF AGAINST GENERAL MANAGER:**

**12.6.1** Appropriate circumstances for a grievance against the General Manager shall be defined as follows:

- A.** Staff person feels he/she has suffered personal, emotional, verbal or physical abuse.
- B.** Staff person feels that a behavior(s) of the General Manager disrupt his/her working environment.
- C.** Staff person wishes to appeal an evaluation or the termination of his or her employment.
- D.** Staff person is dissatisfied with the General Manager's response to his/her complaint about the behavior of other staff.

Problems with ICC policies are not grievances and should be brought to the Board of Directors, via a Board Committee, as a proposal to change those policies. Complaints about the General Manager's performance in areas not directly related items (c) and (d) above do not constitute a grievance. Comments about his/her performance are solicited as part of the evaluation process for the General Manager.

**12.6.2** Grievances against the General Manager should be submitted, in writing, to the Coordinating Committee Chair. The grievance should contain detailed information about the offensive events and any attempts to resolve the conflict. The submitter may request anonymity in the written statement, in which case the Chair will prepare a copy of the complaint which does not contain the submitter's name. A copy of the grievance will be given to the General Manager.

**12.6.3** The Coordinating Committee shall hold a meeting to discuss the grievance. Both the General Manager and the staff person who filed the grievance should be given four days notice of the meeting date so that they may attend, and give information about the problem in person. If the Coordinating Committee finds a grievance about the General Managers behavior to be valid, the committee may:

### **12.6.3.1 FIRST VALID GRIEVANCE:**

- A. request action from the General Manager against the offending staff or
- B. give warning to the General Manager.
- C. call a meeting of the Board of Directors to consider termination of the General Manager if the complaint is very serious.

**12.6.3.2 SECOND VALID GRIEVANCE:**

- A. give warning to the General Manager or
- B. call a meeting of the Board of Directors to consider termination.

**12.6.3.3** If a third grievance is filed, the Coordinating Committee shall call a meeting of the Board to discuss termination of the General Manager.