

Facts #1

Jen has worked for the company for 10 years as a call center operator. On several occasions, he has been counseled by her manager about being more polite in her calls with customers. After a recent incident with a customer, Jen was called to a meeting with the manager. She was told the meeting would be disciplinary and that she should bring her shop steward. The manager played the tape of the customer call for Jen and you (the shop steward). He advised Jen that her words and tone were rude and that she was being given a one-day suspension. Jen was told that in the future she had to be more polite to customers and that if she had difficulty with particular customers, she was to transfer the call to the manager.

- 1. You are the shop steward. Draft the grievance with reference to your assigned collective agreement (if applicable). Make assumptions about the facts as you deem necessary but state those assumptions explicitly in the grievance.**

Name: ABC

Shop Steward

Contact Number:

July 10, 2023

Name: XYZ

LR Manager

Address:

Subject: Grievance for the Disciplinary Action to be Considered Against Jen

Dear XYZ,

Jen is a valued employee and has been one of the most effective union members in the last 10 years. This grievance is filed on his behalf and to support her. As an appointed shop steward, this is my responsibility to ensure that the collective agreement should not cross the boundary of respect and that employees of the organization should be treated equally and with due respect.

This grievance is a follow-up regarding the disciplinary action that the organization has undertaken against Jen on July 10, 2023.

The regulations stated in the collective agreement guarantee that employees of certain organizations have the right to gradual disciplinary establishment. The organization's decision to suspend Jen for one day without any kind of prior notice is identified to be violating the stipulated constraints present in the collective agreement. The organization even failed to follow the basic regulations of further investigation before considering suspending Jen. Moreover, it is essential to highlight that the action has been taken after monitoring only one customer conversation. The decision to suspend Jen was solely undertaken without considering collecting supportive data from previous client handling history and without monitoring the circumstances that might have led to the situation that caused the suspension of Jen to violate the agreement of collective bargaining. This additionally fails to incorporate the persuasion of fairness and does not mitigate the requirements as proposed in the agreement.

In the earlier discussion, it was suggested to Jen that he should forward challenging calls to her manager.

However, this suggestion is not supportive of the requirements presented in the agreement and even the employee handbook does not interpret this methodology to be an adequate one to handle difficult client members.

The absence of these basic norms in the organizational context has placed Jen under the circumstances that led to the creation of a situation of stress by exposing her to potential disciplinary action violation.

This complaint needs to be lodged to request the withdrawal of Jen's one-day suspension and to ensure that any record of this disciplinary action should be erased from her employment file. This complaint is an additional pledge to establish the requirement of providing Jen an additional training and coaching to Jen, supporting her in developing the necessary communication skills to deal with the Managerial requirements of the post. This is additionally formulated that the management is liable to follow the basic regulations presented in the collective agreement to deal with certain future situations.

We would be highly obliged if you kindly look into the matter and arrange a meeting at the earliest possible considering, with the expectation of a reply within 3 to 4 days as per the norms of the collective agreement.

We feel that generating a solution to this problem equitably will be appropriate to maintain a healthy working atmosphere and ensure the organization's dedication to employee welfare and customer pleasure.

Thank you in advance for your attention regarding this matter.

Sincerely,

ABC

Shop Steward

Grievance #1

Facts:

Melissa Henry is a 2-year employee. She has a history of missing shifts for a variety of reasons ranging from “illness” to “childcare problems” to “car broke down”. She has received numerous verbal warnings and last month a written warning advising her that further absences without acceptable excuse or without notifying the company would result in more serious discipline. On January 14, 2021, Melissa was suspended for one day for being absent from work without excuse and without notifying her supervisor.

Grievance:

We hereby grieve the 1-day suspension without pay of Melissa Henry dated January 14, 2021. Melissa was suspended for being absent from work without excuse and without notifying her supervisor. The suspension is an unjust response in the circumstances because Melissa had to stay home to care for her child who was ill. In previous instances where Melissa was absent she has only received verbal or written warnings and we submit that the past practice of the employer is to only issue verbal or written warnings and that this suspension is therefore unjust.

2. You are the Labour Relations Specialist and you need to assist the manager in replying to this grievance. Concerning your assigned collective agreement (if applicable), draft the reply. Make assumptions about the facts as you deem necessary but state those assumptions explicitly in the grievance response.

Name:

ABC

Labor Relation Specialist

Address

January 21, 2021

Melissa Henry

Address:

Subject: Response to the grievance regarding the Suspension of Melissa Henry

Dear Melissa,

This letter is a response to your complaint regarding the suspension of Melissa Henry for one day without any pay on 14 January 2021. Your approach of drawing our attention in this regard is appreciable and after investigation, I have concluded a few circumstances that led to the suspension.

As per the collected records, Melissa has been with our organization for the past two years and has a record of skipping shifts without any prior notice or communication. To support the action of suspension I would like to investigate each clause presented in the collective agreement separately.

➤ **Suspension for being absent without any communication with the organization:** Mellissa was absent without informing her supervisor and hence she was suspended. Employees should follow the decorum of the organization to maintain a healthy workflow and balance between the work requirements this ensures a stable work balance. Mellissa's absence created problems among her staff members and led to her suspension.

➤ **Past warning:** It came to my attention that Mellissa has gotten several verbal and written warnings in the past regarding her absence. She had an opportunity to improve her behavior, and despite that, she continued to follow her absence routine without any prior notice. The decorum of the agreement has been followed adequately with the proposition of earlier warnings, failure to learn from previous mistakes led to suspension of Mellissa.

➤ **Unfair response as a result of Childcare responsibilities:** We are well-aware regarding the situation of the illness of Mellissa's child and her illness and we sympathize with that. Our organization values the work-life balance and understands that unavoidable circumstances may arise at any point in time. It is the responsibility of the employee to inform their supervisor in this regard and help the organization arrange any alternative requirements.

Mellissa's absence on January 14, 2021, has violated the organizational regulations as investigated and supportive information has been presented in this regard. Monitoring

her previous history of absence and keeping in mind the previous warning letters she has received the one-day suspension is considered to be justified.

Our organization is bound to treat all the employees equally with the confidence of following the regulations of the collective agreement. It is demanded that Mellissa prioritize open and clear communication with her supervisor in the future to avoid any terms of misunderstandings. This in turn will be supportive in helping her deal with her personal life responsibilities towards her child.

Regarding any further query on this matter, you are suggested to contact me directly and we appreciate your patience and cooperation. We are hopeful that maintaining healthy communication will lead to proposing adequate solutions to the problem.

Sincerely,

ABC

Labor Relation Specialist