



What is a grievance?

A grievance is a complaint. It can be formal, as when an employee files a grievance because of unsafe working conditions, or more of an emotional matter, like a grievance against an old friend who betrayed you. A grievance is a complaint that may or may not be justified.

Grievance in labour terms

In the majority of cases, a grievance in a workplace is filed due to a breach of labour law. Though labour law can be different from country to country, there is a general understanding of this particular laws meaning and relationship to employees and employers.

According to Peter Ackers and Adrian Wilkinson in their work titled, *Understanding Work and Employment: Industrial Relations in Transition*, labour law involved items can include, "the contract of employment, regulatory legislation (such as health and safety measures), the conduct of industrial disputes, and questions of trade union government".

Going further, these authors also note the concern of labour law with three relationships in particular, that include, "the relationship between the employer and the worker (a relationship rooted in contract - the contract of employment); the relationship between the employer and the trade union (a relationship rooted in tort - interference with trade, business or employment by unlawful means); and the relationship between the trade union and the worker (a relationship rooted in contract - the contract of membership)".

Though all three relationships are very different, they are all highly connected, especially in a situation where a grievance is filed by an employee or a union.

Benefits of a grievance

Above all else, a grievance is a procedure that allows for peace of mind, since

knowing that there is a procedure in place to challenge questionable decisions that are made by others in the workplace is available. A grievance allows for an opportunity at conflict management with ideals such as fairness and equity at its forefront.

Employees are able to have their say at all levels of management, with the opportunity to escalate to an independent arbitrator if necessary. While there are benefits for employees, management benefits from the presence of a grievance process as well. As Sean C. Doyle states in his work titled, *The Grievance Procedure: The Heart of the Collective Agreement*, this is due to the fact that, "the process represents an excellent means for achieving consistency in policy formulation and application and can ensure compliance with corporate policy by middle management and supervisors since their decisions are subject to the grievance procedure and will be reviewed by their superiors".

To be more specific, the grievance process often encourages the workplace contract to be quite specific, therefore it will encompass several events that can occur on a day-to-day basis. This creates clear expectations on both the part of an employee and employer, with the hope of a quick, but fair resolution. As for the union, a grievance procedure can act as a way to nurture trust and loyalty between employee and the union. Since a grievance is usually a process that is supported by both employee and employer, there is always an understanding that this will be the route taken for conflict resolution within the workplace. When action must be taken, the union can play a significant role in the grievance process, and for this reason, it is important that they achieve a fair settlement for their clients, who are the employees, in order to gain further support and in some cases, re-election for company union representation.

Disadvantages of a grievance

Though the grievance process does provide for a structured and often fair procedure to dealing with conflicts within the workplace, there are also certain disadvantages present. In some cases, employees and employers alike can see the inclusion of a third-party arbitrator as a way in which they lose specific rights or control over the situation. Another more obvious disadvantage is the use of time and money, which are both valuable resources to an organization. Often, a grievance does take a substantial amount of time to be completed, and therefore there is plenty of time used, while costs incurred during the investigation, and in particular through the inclusion of a third-party arbitrator can quickly add up. Another common disadvantage amongst employee and employer has to do with the notion of expectation. For instance, one party may prefer a quick resolution, while another may prefer to take their time and conduct a thorough investigation.

Ultimately a grievance process takes the attention of both the employee and employer away from their main roles in a workplace and shifts them elsewhere, while tensions between both parties can also form, resulting in future toxic environments or feelings.

Tips of a grievance

1. Grievances must be registered at your HRM.
2. Inform your local shop steward about it.
3. Ensure that you have got a copy.
4. There are timetables which a grievance must be completed.
5. Ensure that your evidence about the grievance is attached and certified.
6. If the external processes are exhausted, make sure that the mediation certificate is given to your union official who handles it as soon as possible because it also has a time period to register at the relevant bargaining council