

THE



THE
POWER



Behind Your Clinical Practice

Filing a Grievance is Key to Enforcing Your Contractual Rights

A grievance is an agreed upon process for resolving disputes which arise between our union and management. Filing a grievance is the means by which the union enforces the rights and benefits in our contract. Please review the Article in your contract on "Grievance Procedures." What constitutes a grievance is often explicitly defined in your contract. It will provide the mechanism for responding to management's misinterpretation of the contract or unfair discipline.

A grievance can also be filed over the incorrect application of the employers' policies, for violations of state or federal law or for violations of binding past practices which may exist in the workplace. Your MNA union contract provides a multi-step process for resolving grievances.

How do I know if I should file a grievance?

If at any time you have a concern over management's interpretation of your contract, or if you feel that your rights at work have been violated, contact a negotiating committee member or your MNA

representative to determine if a grievance is warranted and for guidance on how to proceed. See the box on this page with examples of issues that may be grievable.

How do I file a grievance?

If it is determined that a grievance is warranted, your union representative will assist you in filing a grievance and then guide you through the grievance process. In some cases, when the issue involved will impact a number of nurses, the MNA can and will file what is known as a "class action" grievance.

If the union and management can not come to a resolution over the grievance, our contract allows the MNA to submit the grievance to arbitration. Arbitration is a form of dispute resolution where both the union and management present their case, similar to a court proceeding, before a neutral third-party (an arbitrator) who then makes a ruling on the matter that becomes binding on both parties.

Issues Which Could be the Basis for a Grievance

- Disciplinary actions by management – such as discharge, demotions, suspension, reprimands, warning letters.
- Denial of a posted position or promotion.
- Improper payment of wages, overtime, on call, differentials, etc.
- Questions of competency or efficiency.
- Health and safety issues.
- Discouraging MNA activities.
- Seniority rights.
- Scheduling problems – vacations, shifts, days off, hours of work.
- Assignments for which you are unprepared or unqualified.
- Assignments of work situations which are or may be unsafe for patients.