

GRIEVANCE PROCEDURE

WIGUT and the University have agreed that grievances arising out of the contract of employment and terms and conditions of service as stated in the Blue Book shall be of two categories: Individual, concerning one or more members of staff of the Union in a restricted manner, and General, concerning significant membership on a wider campus basis.

Before a grievance is officially reported to the Union in writing, it should normally be discussed first by the staff member and the Head or equivalent, with the view of resolving the matter. This is generally referred to as the “first stage”.

If the parties fail to resolve the matter at the “first stage” the following shall apply.

Individual Grievance:

The member(s) along with their Union representative(s) present case in writing to the Head of Department or equivalent. Failing meaningful action within three (3) days of receipt of the case, then

the member(s) along with their Union representative(s) take the case to the Dean or equivalent in non-faculty sections or their nominee. Failing meaningful action within five (5) days of receipt of the case, then

(iii) the member(s) along with their Union representative(s) take the case to the Campus Principal. Failing meaningful action within seven (7) days of receipt of the case, then

(iv) the case shall be referred to arbitration under the auspices of the Ministry of Labour. Arbitration shall be by a suitable independent and mutually agreed arbitrator or arbitrators whose decisions shall be final and binding on both parties. The parties agree that the arbitrator(s) shall be selected within ten (10) days of the receipt of the case. The terms of reference to be placed before the arbitrator(s) shall be mutually agreed.

(v) If the parties fail to mutually agree upon the selection of an arbitrator after ten (10) days of a request by either party for arbitration, either party shall immediately request the services of the Ministry of Labour to provide a list of five (5) arbitrators. The parties shall have seven (7) days following receipt of the list, to select an arbitrator in the following manner. The Union shall have the right to strike one name from the list, the University shall then strike one name, and the process will be repeated and the remaining person shall be the arbitrator. However, if after seven days one of the parties fails to adhere to the preceding arrangement the other party will request the Ministry of Labour to act on behalf of the delinquent party in order to complete the process. The decision of the arbitrator shall be binding upon the parties.

NOTE: In (i) and (ii) above when there is no appropriate officer, or the issue is not within the purview of such officer the procedure shall move to the next stage.

General Grievance

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- (i) Union representatives take case to Campus Principal. No meaningful action within ten (10) days of receipt of the case, then

- (ii) The matter is referred to the Ministry of Labour for a conciliation meeting within ten (10) days of receipt of the case under the Chairmanship of an Officer of the Ministry. If no solution reached, then

- (iii) The case shall be referred to arbitration under the auspices of the Ministry of Labour. Arbitration shall be by a suitable independent and mutually agreed arbitrator or arbitrators whose decisions shall be final and binding on both parties. The parties agree that the arbitrator(s) shall be selected within ten (10) days of receipt of the case. The terms of reference to be placed before the arbitrator(s) shall be mutually agreed.

- (iv) If the parties fail to mutually agree upon the selection of an arbitrator after ten (10) days of a request by either party for arbitration, either party shall immediately request the services of the Ministry of Labour to provide a list of five (5) arbitrators. The parties shall have seven (7) days following receipt of the list, to select an arbitrator in the following manner. The Union shall have the right to strike one name from the list, the University shall then strike one name, and the process will be repeated and the remaining person shall be the arbitrator. However, if after seven days one of the parties fails to adhere to the preceding arrangement the other party will request the Ministry of Labour to act on behalf of the delinquent party in order to complete the process. The decision of the arbitrator shall be binding upon the parties.

In cases where the matter is one for the University Centre (e.g. staff employed directly to the Centre) the Vice Chancellor shall take the place of the Campus Principal in (iii) of Personal Grievance and (i) of General Grievance.

The parties agree that General Grievance could arise from disagreement on the interpretation of the Collective Agreement and from breaches of the terms and conditions of service stated in the Blue Book.