

What is a grievance?

When members believe the VSB has violated one or more of our rights under the collective agreement, the formal process of seeking redress or resolve is called a Grievance. The Grievance procedure is intended to settle disputes respecting the interpretation, application, or upholding of our rights. This means that we can grieve if we believe our rights are being ignored or violated. Many times, emergent situations mean that we have to be continually interpreting or challenging established practices.

At VESTA, we have a committee that advises the grievance work of the union. The Grievance Committee meets once a month to discuss ongoing grievances, advise the grievance officer, strategize and look for ongoing trends in the local. The Grievance Committee plays a major role in defending the Collective agreement and upholding the rights of members.

Here's a brief outline of how the grievance process works:

The grievance process is described by Article 12 in the Collective Agreement. If you think that you have been denied a right or you believe that the Board or Administrator is not holding up the Collective Agreement, then you can speak to your staff rep for support. Check the Collective Agreement to determine what parameters exist around the issue in question. Sometimes the rights of teachers are supplemented by legislation or previous grievance resolves, so don't give up if you and your Senior Staff Rep can't find support for your concern in the CA. Often times the language is interpreted by previous practice or the notes from bargaining sessions. VESTA's in-house table officers can help with this research.

Once you've determined that your rights have indeed been violated, seek a resolution to the problem at your worksite either through your Staff Committee Meeting or in a meeting with your Administrative Officer. Bring your Staff Rep. Take notes. Many issues can be resolved locally. This not only helps to strengthen individual worksites, but also assists if the grievance needs to move forward in the formal process. It helps the Grievance Committee and the VESTA representatives at Joint Committee gain more information

and determine a resolution. Call the VESTA office if you need assistance formulating your concerns or determining what would resolve the problem.

It is important to remember that the Collective Agreement is a document for both teachers and managers. The VSB agreed to and signed the Collective Agreement, which means they are responsible for upholding it and we are responsible for defending it. There are clauses in the CA that are in the interests of both parties.

If you are unable to resolve the situation at your worksite, pass all relevant information to the VESTA office. The Grievance Officer will proceed with contacting the VSB to seek resolve.

If you are encountering difficulties around a particular issue at your worksite, chances are you're not alone. Trends happen throughout the district as a result of many factors at the provincial and local level. Don't hesitate to let us know about your school's issues – it helps us build a district context and seek appropriate resolve. Some grievances are about particular situations, and others are General Nature, which means the resolve will be generalized to all such situations. There may already be a grievance in process, or a resolve that applies to your issue!

Here is a list of the grievances that are currently underway on behalf of VESTA members:

Teacher-Librarian Job Share: VSB denies that non-enrolling teachers can be job-share partners
Contracting Out – District Consultant: work of a teacher being done by somebody outside of the bargaining unit
TOC Seniority: TOC seniority not readily available
Bereavement / Funeral Leave Denial: VSB denied members both leaves in conjunction
TOC on Pro-D day: TOC contracts interrupted by Pro-D day
Summer School Postings: Summer School positions incorrectly posted
Contracting out – Private Tutoring during Instructional Time
ERIP Denial: Members denied ERIP if they took sick leave
Teacher-Librarian Allowance: Allowance for large schools denied
Post & Fill – Consultants: VSB not adhering to February deadline for Consultants
Post & Fill – Senior Candidate Unsuccessful: Job given to less senior candidate
Post & Fill – Partial Surplus: Members surplus out of one site were declared surplus for their entire assignment including other sites
Increases to Scale Denied: Adult Educators not given increases as K-12 agreement
Post & Fill – Part Time Rights: Candidates seeking full time denied B status
Teacher Workload – School Moves: Members denied release time for school move
Inappropriate Discipline: Article 8.F. not followed for Letter of Expectation

Discipline Process: Article 8.F. not followed

Post & Fill – Shortlisting Information: VSB has ceased providing VESTA with information about Shortlisting and Successful candidates

Provision of Account of Fees: VSB has ceased providing VESTA with information about members' fees
VSB New Teacher Orientation: VSB did not uphold responsibility to include VESTA at the New Teacher Orientation

Freedom of Expression: VSB denied members the right to communicate with parents regarding FSA testing

Harassment: Intimidation of members by Administrative Officer
Maternity Leave Surplus: Members on Maternity Leave being surplus from their job sites without due process

Post & Fill – French Immersion: French Immersion positions being surplus before start date

Discipline – Letters of Expectation: Letters of Expectation being issued without following 8.F.
Class Size & Composition – More than 3 Students with Special Needs

Class Size & Composition – No Consultation
Class Size & Composition – No Rationale

Removal from TOC List: Inappropriate Evaluation
Post & Fill – Immediate Posting: Postings being "held back" at some worksites

Denial of Part Time Request: Member denied right to reduce time

Inappropriate Evaluation: Lack of Evaluation
Inappropriate Evaluation: Evaluation inconsistent with
Health Benefits Change: Health and Dental benefits plan changed without consultation with the Union

VESTA's grievance representatives meet twice with representatives from the VSB to try to resolve the issue. If we are unable to resolve it here, VESTA may forward the grievance to the BCTF for legal counsel. At this point, the BCTF will recommend either Arbitration or Withdrawal. VESTA can (and does!) appeal such decisions.

This article outlines the formal Grievance Process. Throughout this process, the Grievance Committee advises and monitors the progress on issues arising. Our work is to seek resolve for individuals and teachers as a group, to defend and interpret the Collective Agreement, to be vigilant to ongoing trends in schools and to continually be advising the Executive Committee and general membership about issues throughout the local. If you are interested in more information about grievances or if you think you may have a grievance at your worksite, don't hesitate to call the office.

Jody Polukoshko
2nd Vice-President / Grievance Officer

