

GRIEVANCE HANDLING

SELECTION/POSTING GRIEVANCE CHECKLIST

This checklist is meant as a resource to help stewards prepare for the selection/posting grievance process.

Generally, applicants already working for the employer must be considered before external applicants (check your collective agreement). Positions awarded to external applicants before consideration of applicants who are already employed will often trigger a selection dispute.

Collective agreements contain several problem-solving clauses, typically called “grievance processes.” Grievance process articles lay out instructions for a 2- or 3-step grievance process. Stewards will address selection/posting grievance matters at step 1 (Nurses’ Bargaining Association) or step 2 (independent).

Please go to the [Steward Resource Toolkit](#) for more resources to prepare for the grievance process.

Although it may not be possible to acquire all the following information prior to your grievance meeting, it is important to collect this information in a timely manner to resolve the grievance as quickly as possible.

FOR THE INVESTIGATION AND GRIEVANCE FILE

IMPORTANT/NECESSARY BACKGROUND FOR ALL SELECTION DISPUTES:

TIP: make a copy of this page to insert in your grievance file as a reference.

- Copy of the job posting and job description
- Grievor’s resume, work history and background, and/or application details including:
 - > The date of the grievor’s application and contents of the application submitted
 - > The grievor’s work history in chronological order – include classification, seniority, etc.
 - > The grievor’s education
 - > The grievor’s performance appraisals and other related personnel file information (copied with their member permission)
- Seniority dates:
 - > Of the successful applicant
- Employer seniority list
- Employer rankings list* of all applicants for the disputed posting—including the names and seniority of all other applicants
- Date and time of scheduled interview(s)
- The date and process by which the grievor was informed of the selection decision
- Management’s reasons for not selecting the grievor and the date of discussion and/or copy of written reasons given to grievor
- Management’s reasons for selecting the successful applicant
- Grievor’s personnel file (copied with the member’s permission) - are there any adverse reports (i.e. letter of discipline or letter of expectation)?

**Employers use different selection tools to score and rank the applicants. This ranking list is used to select the applicant for the position.*

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SELECTION/POSTING GRIEVANCE CHECKLIST *continued*

HELPFUL BACKGROUND FOR SELECTION DISPUTES - IF AVAILABLE:

It is recommended that stewards request these items—if applicable—from the employer and note in their records the employer's response:

Selection Process

- Past selection process practice regarding the requirement and process for similar positions
- Those who represented the employer during the selection process? List names, titles, and contact information
- A description of the tools developed for this process (if applicable):
 - > Selection process format:
 - > Panel interview
 - > 1-on-1 interview
 - > Written test
 - > Practice session
 - > Other
 - > Pre-determined answers for:
 - > Tests
 - > Interviews
 - > The scoring system used:
 - > Scored results for all applicants for the position
 - > Additional tools and methods used to select (e.g., evaluations, education courses, experience, seniority, etc.) and obtain copies

NOTE: Please consult your labour relations officer (LRO) if you have any questions.

Any special considerations (e.g., the position calls for specific education, degrees, courses, etc.).

If you are transferring the grievance to the next step, please provide the above checklist to your LRO and indicate what items you have received, and which ones you have requested (but not been provided).

Nurses' Bargaining Association (NBA) Tips:

- Since 2019, all Level 1 and Level 3 non-specialty positions are to be filled without an interview and selection based on seniority only. The exceptions to this are positions in pediatrics, public health, and rural nursing, where there may be an interview.
- Ask the grievor read the appropriate article(s) in the NBA collective agreement.
- Compare the grievor's qualifications and seniority to the successful applicant's; if both are qualified, who is more senior?

Independent Collective Agreement Tips:

- Ask the grievor to read the appropriate article(s) in their collective agreement.
- Compare the grievor's seniority to the successful applicant's; is seniority a deciding factor between qualified applicants?