

## GRIEVANCE HANDLING

### KVP PRINCIPLES

1. The employer's rule cannot be inconsistent with the collective agreement. It doesn't make sense to have a contract that sets out how things will be done, if the employer can turn around and make a rule that contradicts it.
2. The rule cannot be unreasonable. The rule must seem reasonable; i.e., there must be a valid operational reason for the rule, or it may comply with a legal requirement.
3. The rule must be clear and unequivocal. Terms or directions must be clearly stated before employees can be expected to observe them. It's that simple.
4. The rule must be brought to the attention of employees before the company can act on it. Management cannot introduce a rule; fail to tell an employee about it, and then discipline for violating it. This applies to new work rules more than to old ones.
5. The employee must be notified of the consequences of failure to abide by the rule. For example, that a breach of the rule could result in discipline, if the rule is to be used as the reason. (Even then, a union may still contest a penalty it considers unreasonable.)
6. A rule must be consistently enforced by the company from the time it is introduced. It doesn't mean that everyone must receive the same punishment for a violation – progressive discipline still applies, for instance. However, employees cannot be singled out or penalized in a discriminatory manner.
7. Note: KVP refers to rules that have been unilaterally adopted by the company, without consultation or signoff by the union. As for rules contained in a collective agreement, KVP established that “a breach of such rules as agreed to will be followed by the agreed upon penalty and the arbitration board will not interfere.”