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Facts win grievances

Facts Win Grievances: Use the 7 "W's" to gather all the essential facts.

The 7 "W's"

Who: is involved? The member's full name, employer, branch or division, section or unit, title and job classification should be noted. The name and title of their immediate supervisor and of anyone else involved should be obtained.

What: happened that caused the violation? Withholding of leave? Safety guard not on machine? Disciplinary action? Unfair treatment compared to other workers?

When: did the act or omission which led to the problem occur? Include times and dates and, if applicable, how often and how long?

Where: did it occur? Give exact location or locations if event occurred in different places. Give the distance between locations, if it has a bearing on the issue.

Why: is this considered to be a grievance or a complaint? Has there been a violation of the collective agreement, the arbitral award, an act, employer regulations and/or policies, past practices, etc.? This "W" directs your attention to that something which has been violated.

Want: this relates to adjustments that are necessary to correct the injustice, i.e. to place the aggrieved member in the same position in which they would have been had the act or omission not occurred. Ask for redress in full in order to make the member whole -- money back, files cleared... If you want a hearing at each level, mention it.

Whoa!: review your case. Have I got all the facts from the member?

Keep asking questions until you get everything you need.

Other sources of information to check:

- other workers
- witnesses
- supervisor -- it is usually best to speak to the supervisor about a problem before you actually complain or grieve the case. Knowing the supervisor's views and explanations of the situation will give a clearer picture of the facts after hearing them from both the member and the supervisor. This is not the time or place to argue your case. You are simply getting some more facts. Record the information on the Steward Fact Sheet.
- other Stewards and officers -- they can supply ideas about similar grievances in the past
- member's personal file -- if it is a disciplinary case. Request access to the employer's file or to any government agency where information is pertinent to the grievance/complaint?
- union records
- the collective agreement
- Local grievance file for precedent cases
- PSAC adjudication bulletins
- Regional Representatives in the PSAC Regional Offices
- Legislation -- acts and regulations
- Employer directives and policies
- Personnel Management Manuals. For Treasury Board employees, the updates to these manuals are only available through the Internet.
- Component Union representatives for Treasury Board employees
- Component and Alliance Policies

Finally, prepare answers to all the arguments likely to be raised by management and confirm mutual agreement with grievor on redress required.

Remember: Your Collective Agreement may not entitle you to leave your job automatically to investigate or present a grievance/complaint. Check the wording of the agreement and follow procedures. It is your duty to uphold the Collective Agreement.

When you have checked all the facts and are ready to prepare the grievance, you may wish to discuss the issue with the supervisors and give them a chance to solve the problem at their level.

Always discourage a grievor from discussing their problem with the supervisor unless you are present.

If you cannot resolve the problem in this way, it must be presented in writing as a grievance to the supervisor, for onward transmission to the officer designated by the employer to handle grievances at the first level of the grievance process.

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