

POLICY ON REPRESENTATIONAL SERVICES

1. EFFECTIVE DATE

December 11, 2012

2. PREAMBLE

The Institute strives to provide competent and professional services to its members to represent them in the context of workplace matters related to the interpretation and application of the collective agreement and employer policies.

3. POLICY OBJECTIVE

The objective of this policy is to provide direction on matters of representation of members.

4. POLICY REQUIREMENTS

(1) The primary responsibility for the representation of members rests with Institute staff, assisted by stewards in the manner set out in the Institute's Bylaws and Regulations.

(2) Representation before administrative boards and tribunals shall be provided by Institute staff or, at the Institute's discretion, legal counsel retained and instructed by the Office of the General Counsel.

(3) Members who want to contest a decision or action of the employer affecting them directly may be represented by the Institute upon request and subject to consideration of the merits and circumstances of each case and the limitations set out below.

(4) The Institute will not engage in the representation of its members in any civil or criminal litigation.

(5) The Institute will not engage in the representation of its members in relation to any matters that do not arise out the application or interpretation of the collective agreement, Employer policies, staffing actions or workplace safety and insurance matters.

a) For greater clarity, matters for which the Institute will not provide representation include, but are not limited to: employment insurance matters, matters before professional licensing/regulating bodies.

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b) In the context of any staffing recourse, the Institute shall not represent any successful candidate whose appointment or deployment is being challenged. However, upon request, those members will be provided by the Institute with information on their rights and where to find more information.

(6) A policy grievance shall only be filed upon approval by the Chief Regional Operations, in consultation with the General Counsel.

(7) Grievors or Complainant may attend their grievance hearings and other administrative processes. Attendance may be in person, by telephone or by video-conference, at the Institute's discretion, and subject to the rules of the relevant administrative body. In the case of a policy or group grievance, the Institute shall determine which member(s), if any, shall attend at the Institute's expense. Any travel shall be authorized in advance by the Chief Regional Operations.

(8) When a member and a staff officer disagree on the handling of the member's case, the Institute's

Policy on Conflict Resolution Procedures for Internal Labour Relations Matters shall apply.

(9) Where members choose to pursue matters unrelated to the interpretation or application of the collective agreement on their own or with independently retained counsel at their own expense, the Institute will withdraw its representational services with regard to those particular matters.