

Grievance Procedure

Definition and Overview

- A grievance is defined as any complaint:
 - a. by an employee concerning any matter relating to the employment of the employee;
 - b. by the union concerning any matter relating to the employment of any unit employee; or
 - c. by a unit employee or either Party concerning:
 1. the effect or interpretation, or claim of breach of this collective bargaining Agreement;
 2. and/or any agreement reached under Article 70 herein; or
 3. any claimed violation, misinterpretation, or misapplication of any law, rule, or regulation affecting conditions of employment as provided in the Civil Service Reform Act of 1978 or this Agreement; or
 4. any claimed violation of a past practice.
- The GRIEVANCE PROCEDURE is the agreed upon multi-step process to be followed by employees, the agency and the union for resolving workplace differences or conflicts. This procedure is found in Article 5 of the CBA.

Filing Grievances

- Except for grievances regarding discipline, grievances must be filed with the front-line manager on FAA Form 3770-2 or an electronic equivalent. Grievances regarding discipline are filed with the appropriate Step 2 agency official. See passnational.org for forms.
- A grievance may be filed by a bargaining unit employee or PASS.
- A grievance must be filed within 20 days of the event giving rise to the grievance or within 20 days of the time the employee or union may have been expected to have learned of the event.

Elevating Grievances

- **Step 1:** A grievance over anything other than discipline is submitted in writing to the appropriate front-line manager. The Step 1 agency official will respond to grievance in writing within 20 calendar days.
- **Step 2:** If the employee or PASS is not satisfied with the Step 1 decision, grievance may be submitted to the appropriate Step 2 agency official within 20 calendar days following receipt of the decision or the date the decision was due if no decision was given. The Step 2 agency official will respond to grievance in writing within 20 calendar days. Grievances concerning disciplinary action begin at Step 2.
- **Step 3:** If the employee or PASS is not satisfied with the Step 2 decision, the appropriate union official may advise the manager of the regional labor relations branch of its request that the matter be reviewed by the appropriate Step 3 agency official. This must be done within 30 days following receipt of the decision or the date the decision was due if no decision was given. The Step 3 agency official will respond to the grievance in writing within 20 calendar days. Alternatively, the union may request that the matter be reviewed during the Step 3 Grievance Resolution Meeting, also known as a quarterly meeting.
- **Step 4:** If PASS is not satisfied with the Step 3 decision, the union may at a national level notify the director of the Office of Labor and Employee Relations that it requests the matter be submitted to arbitration. This must be done within 30 days following receipt of the decision or the date the decision was due if no decision was given.

References:

PASS/FAA CBAs: Article 5

