

# The Right to AMAPCEO Representation

This fact sheet explains the circumstances under which AMAPCEO members at the Ontario Arts Council (OAC) have the right to be accompanied by and represented by an AMAPCEO Workplace Representative.

You may wish to refer directly to Articles 21 and 22 of the OAC – AMAPCEO Collective Agreement, available online on our website.

## Meetings Initiated by the Employer

Article 21 – Employee Right to Representation confers upon you the right to be accompanied by and represented by an AMAPCEO Workplace Representative if your supervisor, or another Employer Representative, requests to meet with you for any of the following reasons:

- for disciplinary purposes;
- to formally investigate matters which may result in disciplinary action;
- following the implementation of a development and/or performance management plan, for a formal counselling session with regard to unsatisfactory performance or behaviour;
- for termination of employment; or
- for matters related to the development, implementation and administration of an accommodation or return to work plan.

*NOTE: For all other types of meetings, (while you do not have the right to have AMAPCEO representation) you always have the ability to ask the Employer for permission to bring a Workplace Representative. This Includes meetings held in the normal course of business. They may or may not agree to the request. If they do not agree, you may still speak to a Workplace Rep ahead of time for advice*

Your supervisor or another employer representative **must** notify you of your right to AMAPCEO representation prior to the start of the meeting. If you decide to request representation from an AMAPCEO Workplace Representative, the Employer shall set a time and place for the meeting.

If you are unable to secure a Workplace Representative to attend the meeting with you, you may address this with your Manager and/or Human Resources and attempt to agree upon a meeting time when you will have AMAPCEO Representation. If they

still insist on holding the meeting at the same time, please contact the AMAPCEO office for urgent assistance.

If you attend a meeting without an AMAPCEO Workplace Representative and the Employer requests that you sign a waiver form of your right to representation, only sign the form if you voluntarily agreed to attend the meeting without a Workplace Representative.

## During the Dispute Resolution Process

Article 22 - Dispute Resolution Procedure, is an integral part of the AMAPCEO-OAC Collective Agreement. Through it, you as an AMAPCEO - represented employee can address workplace problems or alleged breaches of your Collective Agreement rights, or other terms and conditions of employment, with representation from AMAPCEO.

Upon becoming aware of a workplace issue or complaint which could give rise to a dispute, you have the option of trying to informally work with your manager and/or Human Resources to resolve the issue or complaint at a local level, before deciding to file a formal stage one dispute.

Though this step is not mandatory, engaging with your manager at the Informal Stage can help foster a more harmonious and productive working environment. You are advised to seek advice from a Workplace Representative prior to meeting with your Manager to resolve issues informally. See Article 9.3 regarding your Workplace Representative's right to participate in problem solving of disputes in the workplace.

Should your workplace complaint not be resolved at the Informal Stage, OR if you decide not to go through the Informal Stage, you, as an AMAPCEO - represented employee, have the right to AMAPCEO representation at the Formal Resolution Stages (i.e. Stage One, Stage Two, and arbitration / mediation) of the dispute resolution process.

*Note: Informal resolution of workplace issue between you and your Manager can also be pursued even after you have filed a Stage One dispute.*

Please see the [Dispute Resolution](#) section of the website for more information on the dispute resolution process.

## Questions?

Please direct any questions to an AMAPCEO OAC [Workplace Representative](#). A complete list of Workplace Representatives can be found on the AMAPCEO website at [www.amapceo.on.ca](http://www.amapceo.on.ca)