

The “Work Now; Grieve Later” rule

- An employee who disputes the propriety of an order by a manager must, subject to the exceptions that follow, comply with the order and only subsequently through the grievance procedure challenge the validity of the order.
 - Management needs to be able to control and direct the workforce.
 - Breach of the “Work now, grieve later” rule frequently results in discipline for insubordination.

“Work Now; Grieve Later” Rule – cont’d

- . . . an industrial plant is not a debating society. Its object is production. When a controversy arises, production cannot wait for exhaustion of the grievance procedure. While that procedure is being pursued, production must go on. And some one must have the authority to direct the manner in which it is to go on until the controversy is settled. That authority is vested in supervision. It must be vested there because the responsibility for production is also vested there; and responsibility must be accompanied by authority. It is fairly vested there because the grievance procedure is capable of adequately recompensing employees for abuse of authority by supervision.”
 - *Ford Motor Co*, 3 LAC 779 (Shulman), quoted with approval in *USWA v Lake Ontario Steel Co* (1968), 19 LAC 103 (Weiler) (“*Lake Ontario Steel Co.*”).

Exceptions to the "Work Now, Grieve Later" Rule

- An employee has a duty to refuse to perform work that is unsafe and poses a risk to himself or others;
- An employee is not required to obey an unlawful or illegal order;
- An employee is not required to obey an order that is unreasonable and affects the employee's private interests outside of his employment, e.g., medical privacy, personal privacy, etc.
 - *Mount Sinai Hospital v ONA* (1978), 17 LAC (2d) 242 (Brandt) ("Mount Sinai").