

# 427 EMPLOYEE APPEAL PROCESS

## Belief

The Maskwacis Education Schools Commission (MESC) follows cultural and traditional teachings of the Maskwacis Cree, in particular Wahkohtowin. Wahkohtowin is the belief that all things are related and connected, that all of existence has spirit and that living in a good way requires us to maintain good relationships with each other and other aspects of existence. We recognize that respect for mother earth, elders, youth, and the Treaties are paramount to planning ahead and making decisions for future generations.

The MESC believes that employees have the right to natural justice and have the right to access an orderly process to resolve complaints and/or to appeal administrative decisions.

## Procedures

1. It is expected that efforts will be made informally to solve a problem or concern before a formal appeal is filed.
2. Employees may appeal any administrative decision that directly affects his/her employment.
3. Employees shall have (5) business days, from the date of the occurrence of the act causing the grievance to submit an appeal request in writing.
4. Appeals will be made in the following order:
  - 4.1. To the individual who is responsible for the original decision;
    - 4.1.1. Upon receipt of a complete written appeal request, the person responsible to investigate the matter, within ten (10) business days of receipt of the appeal request, shall:
      - 4.1.1.1. Review all relevant information pertaining to the matter to ensure that there has been no conflict of interest or bias and that all information is accurate,
      - 4.1.1.2. make a decision; and
      - 4.1.1.3. communicate that decision in writing to all parties concerned
    - 4.1.2. If the matter is not resolved at this step, then proceed to the next step;
  - 4.2. To the immediate supervisor of the individual who is responsible for the original decision;
    - 4.2.1. Upon receipt of a complete written appeal request, the person responsible to investigate the matter, within ten (10) business days of receipt of the appeal request, shall:

- 4.2.1.1. Review all relevant information pertaining to the matter to ensure that there has been no conflict of interest or bias, and that all information is accurate,
      - 4.2.1.2. make a decision; and
      - 4.2.1.3. communicate that decision in writing to all parties concerned
    - 4.2.2. If the matter is not resolved at this step, then proceed to the next step;
  - 4.3. To the Associate Superintendent: People Services;
    - 4.3.1. Upon receipt of a complete written appeal request, the person responsible to investigate the matter, within ten (10) business days of receipt of the appeal request, shall:
      - 4.3.1.1. Review all relevant information pertaining to the matter to ensure that there has been no conflict of interest or bias, and that all information is accurate,
      - 4.3.1.2. make a decision; and
      - 4.3.1.3. communicate that decision in writing to all parties concerned
    - 4.3.2. If the matter is not resolved at this step, then proceed to the next step;
  - 4.4. To the Superintendent. This is the final level of appeal
    - 4.4.1. Upon receipt of a complete written appeal request, the person responsible to investigate the matter, within ten (10) business days of receipt of the appeal request, shall:
      - 4.4.1.1. Review all relevant information pertaining to the matter to ensure that there has been no conflict of interest or bias, and that all information is accurate.
      - 4.4.1.2. make a decision; and
      - 4.4.1.3. communicate the final decision in writing to all parties concerned
5. An appeal shall:
  - 5.1. Be submitted in writing;
  - 5.2. State the nature of the concern;
  - 5.3. Provide a summary of the employee's discussion with their supervisor or other authority
  - 5.4. Outline the steps that have been taken to attempt to resolve the concern;
  - 5.5. Provide relevant evidence;
  - 5.6. Provide the desired resolution; and
  - 5.7. Be copied and provided to any other parties directly involved in the issue.
6. Confidentiality:
  - 6.1. The MESAC does not disclose information regarding appeals except where disclosure is necessary to investigate the appeal or take corrective action, or where required by law.
  - 6.2. The MESAC only discloses the minimum amount of personal information or details necessary for these purposes.

6.3. All records of appeal and subsequent investigations are considered confidential and are not disclosed to anyone except to the MESC staff who require the information to complete their job duties and to the extent required by law.

6.4. The MESC does everything reasonably possible to protect the privacy of anyone involved and to ensure that employees who submit appeals are treated fairly and respectfully.

7. False Information:

7.1. Employees must not knowingly provide false information about the reason for appeal. Unfounded, frivolous, or malicious allegations can cause significant damage to the organization and the relationship between the organization and the employee.

7.2. Any employee who knowingly makes false allegations or provides false information about the reason for appeal will be subject to disciplinary action up to and including termination of employment.