

Process Guide - Grievances

Stage 1.0 - Grievance Presentation				
#	Task	Task Owner	Action/Narrative	Links/References
1.1	Grievance presented to the Office for the Coordination of Grievances and Appeals (OCGA).	Grievor	Grievance Presentation form completed by grievor and presented to OCGA either directly or via grievor's supervisor. The grievor must present the grievance within 30 days after the date on which he or she was made aware of the decision, act or omission.	S. 31 <i>RCMP Act</i> . S. XXX <i>Commissioner's Standing Orders (Grievances and Appeals)</i> . S. II.25 Administration Manual. National Guidebook – Grievances Procedures

Stage 2.0 – OCGA Reviews Grievance for Completeness				
#	Task	Task Owner	Action/Narrative	Links/References
2.1	Grievance is reviewed for completeness.	OCGA case manager	Grievance is reviewed for completeness. If complete, see Stage 2.2. If not complete, see Stage 2.3.	S. 31 <i>RCMP Act</i> . S. XXX <i>Commissioner's Standing Orders (Grievances and Appeals)</i> . S. II.25 Administration Manual. National Guidebook – Grievances Procedures
2.2	Grievance is complete.	OCGA case manager	OCGA case manager processes the file further according with established practices and procedures.	National Guidebook – Grievances Procedures
2.3	Grievance is not complete.	OCGA case manager	OCGA case manager will contact the grievor and make a one-time request for further information. The grievor has 7 days to respond with a complete grievance otherwise the process moves ahead with an incomplete package.	National Guidebook – Grievances Procedures

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Stage 3.0 – OCGA Sends Grievance Submission and Information Package to Parties and Respondent’s Line Officer				
#	Task	Task Owner	Action/Narrative	Links/References
3.1	Grievance and information package sent to parties and respondent’s line officer.	OCGA case manager	The grievance and information package is forwarded to the parties and the respondent’s line officer.	National Guidebook – Grievances Procedures

Stage 4.0 – Respondent’s Line Officer Contacts Respondent				
#	Task	Task Owner	Action/Narrative	Links/References
4.1	Respondent’s line officer contacts respondent.	Respondent’s line officer	<p>Once the grievance and information package is received from the OCGA case manager, the respondent’s line officer will contact the respondent in order to discuss informal resolution, preliminary and collateral issues as well as disclosure of relevant material.</p> <p>The respondent’s line officer will also ensure that the respondent is aware of their responsibilities in the process and adheres to appropriate timelines.</p>	<p>S. XXX Commissioner’s Standing Orders (<i>Grievances and Appeals</i>).</p> <p>National Guidebook – Grievances Procedures</p>

Stage 5.0 – Respondent Contacts Grievor				
#	Task	Task Owner	Action/Narrative	Links/References
5.1	Respondent contacts grievor.	Respondent	Once the respondent has met with the respondent’s line officer, they will contact the grievor to commence informal resolution discussions and to address preliminary and collateral issues.	<p>S. XXX Informal Conflict Management Program policy.</p> <p>National Guidebook – Grievances Procedures</p>

Stage 6.0 – Resolving Issues Informally
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#	Task	Task Owner	Action/Narrative	Links/References
6.1	Issues fully resolved through informal resolution.	Grievor and respondent	If issues relating to the grievance are resolved through informal resolution, then both parties complete an outcome document form, and implement redress (if applicable). The form must be presented to the OCGA.	S. XXX <i>Commissioner's Standing Orders (Grievances and Appeals)</i> . National Guidebook – Grievances Procedures
6.1.1	Issues not resolved, or only partially resolved, through informal resolution.	Grievor and respondent	If issues relating to the grievance are not resolved, or only partially resolved, through informal resolution, the parties will complete an outcome document form outlining what issue(s) are resolved and what issue(s) remain outstanding. The form must be presented to the OCGA.	S. XXX <i>Commissioner's Standing Orders (Grievances and Appeals)</i> . National Guidebook – Grievances Procedures

Stage 7.0 – Case Conferencing				
#	Task	Task Owner	Action/Narrative	Links/References
7.1	Taking part in case conferencing.	Grievor, respondent, and adjudicator	<p>An adjudicator may, at his or her own instance or at the request of a party, hold a case conference to discuss preliminary, collateral and substantive issues relating to the grievance.</p> <p>The form, objectives and timing of the case conference may be determined by the adjudicator.</p> <p>The discussions during a case conference are without prejudice unless committed to writing by the parties or otherwise relied upon with their express consent.</p>	S. XXX <i>Commissioner's Standing Orders (Grievances and Appeals)</i> . S. II.25 Administration Manual. National Guidebook – Grievances Procedures
7.2	Full agreement reached.	Grievor and respondent	If full agreement is reached during a case conference, the parties complete an outcome document form, and redress will be implemented (if applicable). The form will be presented to the OCGA.	National Guidebook – Grievances Procedures

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7.3	Full agreement not reached.	Grievor and respondent	If full agreement is not reached during a case conference, the parties complete an outcome document form outlining what issue(s) remain outstanding and present it to the OCGA. The grievance will proceed.	National Guidebook – Grievances Procedures
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Stage 8.0 – Level 1 Submissions

#	Task	Task Owner	Action/Narrative	Links/References
8.1	Submissions submitted by parties.	Grievor and respondent	<p>The parties have the opportunity to provide their written arguments to the level I adjudicator for a decision.</p> <p>The written submission must not exceed 7 pages total, it must be presented in letter format 8 ½” x 11” with a minimum font size 11. The parties are responsible to specify the relevant law or Treasury Board or RCMP policy applicable to the grievance. The grievor has 14 days to provide a submission. The respondent has 14 days to provide a response. The grievor has 7 days to provide a rebuttal.</p>	<p>S. XXX Commissioner’s Standing Orders (<i>Grievances and Appeals</i>).</p> <p>S. II.25 Administration Manual.</p> <p>National Guidebook – Grievances Procedures</p>

Stage 9.0 – Case Meeting

#	Task	Task Owner	Action/Narrative	Links/References
9.1	Adjudicator decides to hold a case meeting.	Adjudicator	<p>An adjudicator may, at his or her own instance or at the request of a party, hold a case meeting to hear submissions and consider evidence and decide any procedural, preliminary, collateral or substantive issues relating to the grievance.</p> <p>The form, objectives and timing of the case meeting may be determined by an adjudicator.</p> <p>An adjudicator will reduce to writing submissions made,</p>	<p>S. XXX Commissioner’s Standing Order (<i>Grievances and Appeals</i>).</p> <p>S. II.25 Administration Manual.</p> <p>National Guidebook – Grievances Procedures</p>

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			evidence considered and any decision made during a case meeting and provide the parties with copies as soon as feasible after the case meeting.	
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Stage 10.0 – Level 1 Decision				
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#	Task	Task Owner	Action/Narrative	Links/References
10.1	Level 1 decision rendered.	Adjudicator	Decision rendered by a level I adjudicator	<i>S. XXX Commissioner's Standing Orders (Grievances and Appeals).</i> S. II.25 Administration Manual. National Guidebook – Grievances Procedures

Stage 11.0 – Presentation to Level 2				
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#	Task	Task Owner	Action/Narrative	Links/References
11.1	Presentation of decision to level II.	Grievor	<p>If the grievor disagrees with the decision rendered by the level 1 adjudicator, they can present to level 2.</p> <p>The burden of proof lies with the grievor to establish that the level I decision was (a) reached in a manner that contravened the applicable principles of procedural fairness; (b) based on an error of law but for which the decision would have been to the benefit of the grievor; or (c) on any other ground, was clearly unreasonable.</p> <p>The grievor must present the grievance to level II by providing it to the OCGA or to the grievor's supervisor within the statutory limitation period of 14 days. The grievor must present the grievance within 14 days after the day on which he or she was served with the level 1 decision.</p>	<i>S. XXX Commissioner's Standing Orders (Grievances and Appeals).</i> <i>S. XXX RCMP Act.</i> S. II.25 Administration Manual. National Guidebook – Grievances Procedures

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			The grievor may use the Grievance Presentation form originally presented to the OCGA or advise the OCGA in writing.	
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Stage 12.0 – Respondent Advised of Referral to Level 2				
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#	Task	Task Owner	Action/Narrative	Links/References
12.1	Respondent advised of referral to level 2.	OCGA case manager	The OCGA case manager will advise the respondent that the grievor has made a request to have the level 1 decision referred to a level 2 adjudicator.	National Guidebook – Grievances Procedures

Stage 13.0 – Level 2 Submissions				
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#	Task	Task Owner	Action/Narrative	Links/References
13.1	Submissions submitted by parties.	Grievor and respondent	<p>The parties have the opportunity to provide their written arguments to the level 2 adjudicator for a review of the level 1 adjudicator’s decision.</p> <p>The parties need not submit documents that were previously presented to level 1 as these will be included in the grievance file sent to level 2.</p> <p>In his or her submission, the grievor must demonstrate that the level I decision was (a) reached in a manner that contravened the applicable principles of procedural fairness; (b) based on an error of law but for which the decision would have been to the benefit of the grievor; or (c) on any other ground, was clearly unreasonable.</p> <p>The parties may present new evidence or information at level</p>	S. II.25 Administration Manual. National Guidebook – Grievances Procedures

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			<p>It only if it was not known or could not have been reasonably known at the time the level 1 adjudicator rendered the decision.</p> <p>The grievor has 14 days to provide a submission. The respondent has 14 days to provide a response. The grievor has 7 days to provide a rebuttal.</p>	
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Stage 14.0 – Adjudicative Package to Level 2				
#	Task	Task Owner	Action/Narrative	Links/References
14.1	Adjudicative package sent to level 2.	OCGA case manager	The OCGA case manager will forward the grievance file, including the level I adjudicative package and decision, to the level II adjudicator.	National Guidebook – Grievances Procedures

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Stage 15.0 – Level 2 Decision				
#	Task	Task Owner	Action/Narrative	Links/References
15.1	Level 2 decision rendered.	Level 2 adjudicator	<p>Decision rendered by a level 2 adjudicator.</p> <p>The decision of a level 2 adjudicator that disposes of a grievance is final and binding.</p>	<p><i>S. XXX Commissioner’s Standing Orders (Grievances and Appeals).</i></p> <p>S. II.25 Administration Manual.</p> <p>National Guidebook – Grievances Procedures</p>
15.2	Enforcement of Redress	Designated Officer	<p>If the respondent and designated officer believe the redress determined by the adjudicator at level 1 is clearly contrary to law and should not be implemented, the designated officer may request a referral to level 2 within fourteen days after the day on which the respondent was served with a copy of the level 1 decision</p>	<p><i>S. XXX Commissioner’s Standing Orders (Grievances and Appeals).</i></p> <p>S. II.25 Administration Manual.</p> <p>National Guidebook – Grievances Procedures</p>