
Date

Adopted by Administrator **September 24, 2003.**

Protocol for Staff When Expressing Concern about District Decisions

Purpose

- To provide staff with a process to express concerns about District decisions
- To avoid inaccurate information from being distributed internally or externally
- To ensure fair a process is provided to all concerned parties
- To develop a culture for improving operations

Background

- The Collective Agreement outlines the terms and conditions of employment for unionized workers to encourage harmonious relations, to avoid disruption to municipal operations and to resolve disagreements efficiently. Except as modified in the Collective Agreement, Management has the right to supervise and direct the work force, subject to legal limitations, bylaws or policies. A formal grievance procedure is contained in the Collective Agreement, which applies to conditions of employment.
- The Municipal Officers Bylaw empowers Managers and Department Heads to supervise all employees within their operations and to appoint, promote, discipline and dismiss employees in consultation with the Administrator. The Bylaw empowers the Administrator to supervise and direct all departments and to be the point of contact with Council.
- Inaccurate information, malicious comment, improper process, and inadequate communication can waste resources (labour) and may cause harm to individuals and the organization.
- The District wants to create an innovative culture in its organization and provide individuals with a process to initiate change and improve operations. However, the process must respect democratic principles in our system of government that is based on group decision-making at Council, which principles are also brought to the Management Team on many issues by the Administrator. In addition, Municipal Officers have authority by statute and bylaw to carry out certain functions on behalf of the municipality.

Proper Process

1. When a unionized staff member has a concern about a decision, the first thing to determine is whether it relates to a provision in the Collective Agreement. This can be discussed informally with the Department Manager and/or the SARDCO President. The collective agreement will be applicable to a narrow range of issues primarily focused on the terms of employment negotiated between the union and management. The Collective Agreement has a grievance process, but again this is used for a narrow range of issues. It is possible for a Letter of Understanding to be mutually negotiated between the union and management on an issue that is not covered by the Collective Agreement.

2. For issues outside the Collective Agreement, concerns should be raised with the appropriate Manager and/or Director (Department Head). Depending on the issue, the matter may be resolved immediately by the Director, deferred to a specific date, or may be referred to the Managers Meeting. The Director should provide an answer to the employee as soon as is reasonable, but there must be a response within 4 weeks even if the answer is to set a date when the concern will be considered.
3. If an employee is not satisfied with the decision of the Manager or Director, the issue may be verbally discussed with the Administrator, who will determine what action will be taken. The employee and/or the Manager or Director may be asked by the Administrator to prepare a written report for his review. The Administrator may render a decision on the issue with the information at hand. The Administrator may set up any process deemed appropriate, which may include sending an issue a committee or to Council in a formal report.
4. This same process is used to bring forward ideas on how the municipality can improve operations. In this situation, if an employee has an idea for change to a Council policy or bylaw, "Tell it to the Mayor" may be used, but only after the process outlined in 1-3 above has been exhausted. (Also see "Guidelines on Obtaining Information and Assigning Work" in the policy folder)

Inappropriate Behaviour

Inappropriate behavior respecting this policy would include:

- Releasing information to anyone contrary to Freedom of Information and Protection of Privacy laws;
- Releasing confidential or personal information contrary to law;
- Spreading false or misleading information, or malicious comment respecting a person, activity or decision;
- Attempting to lobby a Councillor on a particular issue or concern;
- Circumventing the process for making decisions or considering concerns; or
- Failing to respond to a concern within a reasonable time.

Original signed by Randall Rose

Randall Rose
Administrator