



Panel Member Job Aid

The Ontario Lottery and Gaming Corporation is committed to promoting a workplace in which employees are treated fairly and with respect. The Fairness Appeal Program exists to help honour this commitment.

Human Resources Coordinator – HRCs coordinate appeals before, during and after the Fairness Appeal session. They chair Fairness Appeal sessions and facilitate Panel discussions and voting.

Panel Members – Fairness Appeal Panel members are responsible for hearing the facts and circumstances of Fairness Appeals and rendering fair, just and impartial decisions. Members are responsible to hold all matters before them as strictly confidential.

Before the Fairness Appeal Session

1 Prepare Employee, Supervisor/ Manager and Panel

EMPLOYEE	Submit written request for appeal to HR <ul style="list-style-type: none"> Use Fairness Appeal Request Form 	Within 7 calendar days of termination date or the date the discipline was issued.
HRC	Provide copy of Preparing for Fairness Appeal brochure to Employee and Supervisor/Manager.	Within 24 hours of receiving Fairness Appeal Request Form
HRC & EMPLOYEE	Select 5 Panel members <ul style="list-style-type: none"> See Guidelines for selecting Panel Members in Fairness Appeal Program Details brochure 	Within 3 calendar days of receiving Fairness Appeal Request Form
HRC	Schedule Fairness Appeal Session <ul style="list-style-type: none"> Determine Panel Members' availability Book Panel for minimum of 4 hours depending on location Book Employee, Supervisor/Manager for 90 min. 	To occur within 10 calendar days for Site Panel or 20 calendar days for Regional Panel of receiving Fairness Appeal Request Form
EMPLOYEE & SUPERVISOR/MANAGER	Submit written statements to HRC, if desired	At least 3 calendar days prior to FA session

2 Prepare Witness(es)

EMPLOYEE & SUPERVISOR/MANAGER	Submit names of witnesses and employee support person to HRC, if relevant <ul style="list-style-type: none"> See guidelines for witnesses in Preparing for Fairness Appeal brochure 	At least 3 calendar days prior to FA session
HRC	Invite Witnesses to Fairness Appeal Session <ul style="list-style-type: none"> Inform witnesses that they will be paid only if attend during their regular shift 	

3 Prepare Documentation

HRC	Request written report from Surveillance Manager, if relevant Make copies of written statements for Panel Bring copy of employee/department files to session	
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During the Fairness Appeal Session

1 Begin Session

PANEL MEMBERS HRC	<p>Review written statements, if any</p> <p>Call the session to order</p> <ul style="list-style-type: none"> • Call in Employee and Supervisor/Manager • Introduce session participants • Present ground rules 	All participants are required to review and sign the confidentiality agreement including HRC, witnesses, panel members, and employee.
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2 Hear Employee’s Position

EMPLOYEE	Present position to Panel Members	Maximum 15 minutes with 5 minute warning
PANEL MEMBERS	Ask Employee for clarifying information	
EMPLOYEE WITNESSES	<p>Present statements</p> <ul style="list-style-type: none"> • Employee and Supervisor/Manager leave <ul style="list-style-type: none"> • Witnesses wait outside the room until called • Witnesses should not discuss their testimony • Witnesses called and present one by one 	Maximum 10 minutes each with 3 minute warning
PANEL MEMBERS	<p>Ask Witnesses for clarifying information</p> <ul style="list-style-type: none"> • Witness leaves after answering questions • Employee and Supervisor/Manager return 	

3 Hear Supervisor/ Manager’s Position

SUPERVISOR/MANAGER	Present position to Panel Members	Maximum 15 minutes with 5 minute warning
PANEL MEMBERS	Ask Supervisor/Manager for clarifying information	
SUPERVISOR/MANAGER WITNESSES	<p>Present statements</p> <ul style="list-style-type: none"> • Employee and Supervisor/Manager leave <ul style="list-style-type: none"> • Witnesses called and present one by one 	Maximum 10 minutes each with 3 minute warning
PANEL MEMBERS	<p>Ask Witnesses for clarifying information</p> <ul style="list-style-type: none"> • Witness leaves after answering questions 	

4 Prepare for Uphold/ Overturn Vote

PANEL MEMBERS	<p>Discuss facts, policies and discipline</p> <div style="border: 1px solid red; padding: 5px;"> <p>What are the facts of the case?</p> <p>Was any information presented not factual?</p> <p>Were there inconsistencies between facts?</p> <p>Is there relevant information in the Employee’s file?</p> <p>What policies apply to this case?</p> <p>Is there enough information to make a decision?</p> </div>	Approx. 25 – 40 minutes
HRC	<p>Confirm that Panel is ready to vote</p> <ul style="list-style-type: none"> • If the Panel is not ready to vote then provide an additional 20 minutes to continue to review information 	

During the Fairness Appeal Session

5 Vote to Uphold or Overturn Discipline

PANEL MEMBERS Vote “YES” or “NO” by secret ballot

- Q: “ Was the discipline fairly administered in accordance with our policies?”

HRC Tally the vote

- If 4 or more “YES” votes, discipline upheld and session ended
- If 3-2 vote, discuss result (“*” below)
- If 4 or more “NO” votes, prepare for alternate discipline vote (“6” below)

Turn 

Go to 

Go to 

* Discuss 3-2 Vote

PANEL MEMBERS Discuss the two options Approx. 25 – 40 minutes

What facts and policies support each option?
What additional information would you require to change your vote?

HRC Confirm that Panel is ready to vote

- Repeat uphold/overturn or alternate discipline vote
- Discipline upheld if another 3-2 vote results

Go to  or 

6 Prepare for Alternate Discipline Vote

PANEL MEMBERS Discuss alternatives Approx. 25 – 40 minutes

What do you propose given the facts of the case?
Which policy supports that option?
What other proposals should we consider?
Which policy supports that option?
What two options should we consider for a vote?

HRC Confirm that Panel is ready to vote

- Record and read the two options aloud

7 Vote on Alternate Discipline

PANEL MEMBERS Vote on alternate discipline, by secret ballot

- Q: “ Which option is the fairest discipline to administer in this case, according to policy?”

HRC Tally the vote

- If 4 or more for either option, alternate discipline to be applied and session ended
- If 3-2 vote, discuss result (“*” above)

Turn 

Go to 



Following the Fairness Appeal Session

Communicate and Document Decision

HRC

Inform Supervisor/Manager and then Employee of Panel's decision

Immediately following session

Send letter to Employee to formally communicate decision

Within 3 business days of FA session

- Use the form letter provided
- Send copy to Supervisor/Manager
- Add to Employee's file

Send report to Corporate HR to communicate decision

Within 3 business days of FA session

- Use the report template provided
- Include decision and voting results

Store Fairness Appeal case file

- Document names of Employee, Supervisor/Manager, Witnesses, Panel Members and HRC
- Document date of session
- Document final decision and number of votes in favour
- Insert written statements from Employee, Supervisor/Manager and Witnesses
- Insert letter to Employee
- Insert report to Corporate HR (decision and voting results)