

Post Allowance Appeals from Current MCCS NAF Employees

Appeal procedures

If current MCCS NAF employees are not satisfied with a written post allowance decision, he/she must follow the Administrative Grievance Process (AGP). The administrative grievance procedure is conducted on the basis of a two-step procedure that uses a review method consisting of a personal presentation to the official designated to decide the grievance, or a personal presentation to an agent designated by the deciding official (to review the grievance and submit a report of findings and recommendations), or a review of the written record by the deciding official. The current employee may request information and advice on regulations and procedures and other records pertinent to the case from the servicing NAF HRO.

1. Right to Representation. The grievant has the right at any step of the grievance procedure, to be accompanied, represented and advised by a person of the grievant's own choice subject to the willingness and availability of the chosen person to serve, no conflict of interest or position, and the priority needs of the local NAFI. The employee will designate the representative in writing to the first stage-deciding official. Any fees charged by the employee's representative are the responsibility of the employee. The employee and his or her designated representative may use reasonable amounts of official duty time subject to supervisory determination as to when such time may be used in light of priority needs of the NAFI. Such time may be used to prepare and present grievances and appeals. The employee and any representative will be free from restraint, coercion, discrimination or reprisal stemming from the presentation of the grievance.

2. Step 1 - **Informal Oral Presentation.** The aggrieved employee will present his or her grievance orally, to the Director of Human Resources within seven calendar days following the condition or circumstances, which caused the employee to be aggrieved

and specify the relief requested. The Director of Human Resources will provide an oral response to the grievant within seven calendar days after receipt of the informal oral grievance.

3. Step 2 - **Head of the local NAFI**. If the informal oral grievance was not resolved to the satisfaction of the employee at Step 1, the employee has seven calendar days from receipt of the Director of Human Resources oral response to present a written grievance to the head of the local NAFI. The written grievance must state the specific nature of the grievance and the corrective action desired. The Director of Human Resources will provide the head of the local NAFI with any information necessary to complete a review of the grievance. In response to the grievance, the servicing NAF HRO will attach the following to the MCCS record for the local MCCS Director's review:

- (a) A copy of the criteria used for determining eligibility/ineligibility.
- (b) A copy of the employee earnings information, calculation method, if applicable, and a reason why the claim was denied.
- (c) A statement describing the steps taken by the activity to resolve the complaint before the grievance was filed.

The head of the local NAFI will attempt to resolve the grievance and provide a final written response to the grievant within 30 calendar days after receipt of the written grievance. In cases where the head of the local NAFI was personally involved in events leading to the grievance, the employee may continue to Step 3.

Note: A final written decision must be provided to the grievant within 90 calendar days of the initial presentation of the oral grievance.

4. Step 3 - **CMC (MR)**. In cases where the grievance was not resolved to the satisfaction of the employee at Step 2, the employee has seven calendar days from receipt of the response from the head of the local NAFI to present a written appeal to the CMC (MR). The written appeal must state the specific nature of the grievance and the

corrective action desired. CMC (MR) will coordinate with the servicing NAF HRO for any pertinent records. The decision will be based only upon a review of the record. No personal presentation will be granted

CMC (MR) will provide a final written response to the grievant within 60 calendar days following receipt of the appeal.

CMC (MR) will make the final decision.