

5.5 Conflict Resolution Policy

Intent

This policy is intended to provide employees with an outlet to raise concerns regarding any conflict in the workplace or dissatisfaction with respect to issues related to their employment. Under no circumstance should any employee fear discrimination or reprisal in the workplace because of filing a complaint.

Scope

This policy applies to all employees always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

Guidelines

The employer is committed to providing a workplace free of conflict, where employees are treated with fairness, dignity and respect. The following conflicts should be reported to management who will strive to address them in a timely manner with reasonable resolutions:

- Disputes with co-workers or management with unwanted or unresolved consequences.
- Perceived unfair or inequitable treatment.
- Harassment whether sexual, discriminatory, or personal in nature.
- Abuse of authority.
- Conditions regarding employment, or tangible job actions such as:
 - Wages
 - Working conditions
 - The administration of company policies
 - Perceived unfair or inequitable treatment
 - Written or final warnings
 - Demotion
 - Termination

Please note that conflicts relating to workplace harassment (sexual or racial) should be reported as outlined in the Workplace Anti-Harassment/Bullying Policy.

Employees are encouraged to discuss unwanted behaviour or actions with the offending party as the situation dictates. Where the employee does not feel comfortable speaking directly with the individual about the issue, or the matter concerns their manager, then they are requested to seek guidance from another member of the management team.

If a discussion is not feasible or fails to reach a reasonable resolution, a formal complaint may be filed with the general manager and the formal conflict review process will be initiated as detailed below.



Complainants should record the details of the unwanted circumstance(s), the names of any applicable witnesses, and any attempts made to resolve the issue.

Formal complaints must be submitted within 10 business days from the date of the alleged incident(s) and will be reviewed and investigated with a written response to the complainant being provided within a reasonable timeframe (usually 10 business days from receipt of the formal complaint). The written response will indicate the process that will be followed to resolve the issue. In all cases where formal complaints have been lodged, it is important to maintain a policy of strict confidentiality.

Employees

- Are required to fully comply with the Conflict/Dispute Resolution Policy.
- Shall be treated fairly throughout the process, as either a complainant, or alleged offending party.
- Shall be responsible for maintaining confidentiality regarding their involvement, and the complaint itself.
- Shall co-operate with any investigations in relation to complaints.

Management

- Shall be responsible for enacting preventative measures to ensure a fair and equitable workplace, and for the communication of policy and procedures and performance expectations.
- Shall promptly address all formal complaints regarding harassment or discrimination pursuant to the company's Workplace Anti-Harassment/Bullying Policy.
- If the complainant and the offending party are engaged in a subordinate-supervisor relationship, management will physically remove the parties from working together on a temporary basis, and may require a longer-term change in their reporting relationship.
- Will investigate any complaints, claims and documentation therein.
- Will attempt to reach a reasonable resolution to the conflict.
- Will inform the complainant and the offending party of possible resolutions available.

If a complaint is substantiated and a reasonable solution through mediation is not possible, the following disciplinary actions may be taken for the offending party based upon the specifics of the situation:

- Verbal warning/reprimand.
- Written warning/reprimand.
- Transfer or demotion, and in some instances both a transfer and a demotion.
- Introduction of a performance improvement plan (PIP).
- Education and training.
- Suspension.
- Termination of employment.

If a complaint is not substantiated due to lack of evidence or other reasons, both parties shall be informed of the rationale used to reach the decision. The complainant shall be notified first. A complainant may request that the investigation be re-opened if pertinent new evidence can be provided, or a reprisal due to the allegation has occurred.



The employer shall keep in the employee's personnel file all formal complaints, accompanying documentation and the findings of any investigation.

Employees should be cognizant of the fact that a formal complaint against another employee is a serious allegation with the potential for repercussions. Where a complaint is found to be either false or frivolous, or where supporting documentation for a complaint has been falsified, the complainant and/or witness may be subject to disciplinary measures up to and including termination of employment.

Anonymous complaints will not be reviewed nor shall complaints submitted on behalf of an affected employee. Employees are required to assume responsibility for their own concerns within the workplace.

The employer cannot guarantee that an employee's specific complaint will be resolved in the manner that they request, or that they will be satisfied with the resolution; but management can assure a fair and ethical process.