

CMHA Central Alberta Conflict Resolution Policy

Intent:

CMHA - Central Alberta Region is committed to providing a workplace free of conflict, where employees are treated with fairness, dignity and respect. CMHA - Central Alberta Region has instituted this policy 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 in an open and fair manner with provisions made to ensure their prompt and reasonable resolution. Under no circumstance should any employee fear discrimination or reprisal in the workplace as a result of the filing of a complaint.

Guidelines:

Conflicts

The following conflicts should be reported, and CMHA - Central Alberta Region shall strive to address them with reasonable resolutions.

- Disputes with co-workers or managerial staff with unwanted, and unresolved consequences.
- Perceived unfair or inequitable treatment.
- Harassment whether sexual, discriminatory, or personal in nature.
- Abuse of authority.
- Administration of company policies.

Conflict Reporting Procedure

Discussion

- Employees are encouraged to discuss the unwanted behaviour or actions with the offending party as the situation dictates.
- Under ideal circumstances, the two parties shall reach a reasonable resolution without the necessity of filing a formal complaint.
- In the event that a discussion is not feasible or fails to reach a reasonable resolution, the employee(s) should formally talk to their direct manager / supervisor and a formal grievance may be filed (using Form 2.02 if appropriate).

Grievance

- Complainants should record the details of the unwanted circumstance(s), the names of any applicable witnesses, and any attempts made to resolve the issue.
- A formal grievance shall be commenced within fourteen days. The matter to be grieved must be submitted in writing. The grievance procedure is as follows:

Step 1: The grievance shall be submitted to the immediate supervisor in writing, who shall hear the grievance and render a decision within seven days from the date the grievance was submitted. A decision should be rendered in writing within seven days.

Step 2: If a satisfactory resolution is not obtained in Step 1, the grievance shall be submitted in writing within seven days to the Executive Director who shall hear the grievance within seven days and shall render a decision in writing in seven days from the date the grievance is heard.

Step 3: If a satisfactory resolution is not obtained in Step 2, the grievance shall be submitted in writing within seven days to the President of the Board of Directors, who, in consultation with the Board of Directors, shall hear the grievance within seven days and shall render a decision in writing within seven days from the date the grievance is heard.

- A grievance from the Executive Director will commence grievance procedures at Step 3;
- Time limits may be extended, when necessary by mutual agreement in writing;
- Should the employee fail to comply with any time limit in the grievance procedure, the grievance will be considered conceded unless the parties have mutually agreed in writing to extend the limits;
- Should CMHA – Central Alberta Region fail to comply with any time limit in the grievance procedure, the employee may take the grievance to the next step unless the parties have mutually agreed in writing to extend the limits; and
- The supervisor or manager is responsible to inform an employee involved in a dispute of the grievance procedure process and the decisions made at step 1.

Employee Expectations

Employees

- Employees are required to fully comply with the Conflict 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 / Human Resources

- Management and Human Resources shall be responsible for enacting preventative measures to ensure a workplace that is free from harassment, and for the communication of policy and procedures contained herein.
- Management and Human Resources shall receive and address properly filed complaints in an appropriate fashion.
- In the event that the complainant and the offending party are engaged in a subordinate-supervisor relationship, they may be physically removed from each other on a temporary basis, and may require a change in their reporting relationship.
- Investigate, or co-investigate any complaints, claims and documentation therein.
- Attempt to reach a reasonable resolution to the conflict.
- Inform the complainant and the offending party of possible resolutions available.

Resolutions

- If an apology is made by the offending party, and the complainant accepts the apology, this may be viewed as a reasonable resolution, recorded in the complaint file and the grievance closed.
- All attempts shall be made to reach a reasonable resolution through mediation of the complaint with both parties involved.

Where the complaint is substantiated:

In the event that a complaint is substantiated and a reasonable solution to halt the unwanted behaviour or action through mediation is not possible, the following actions shall be taken for the offending party:

- Written warning/reprimand.
- Transfer or demotion, and in some instances both a transfer and a demotion.
- Education and training.
- Suspension.
- Termination of Employment.

Where the complaint is not substantiated:

In the event that a complaint is not substantiated due to lack of evidence or other reasons, both parties shall be informed of the decision with the rationale used. The complainant shall be notified first.

Both parties should be reminded that an unsubstantiated complaint does not necessarily mean that it was filed under false or frivolous pretenses.

A complainant may request that the investigation be re-opened in the event that pertinent new evidence can be provided, or a reprisal due to the allegation has occurred.

Records

CMHA - Central Alberta Region shall keep on file all formal complaints, and the accompanying documentation (including completion of Form 2.02), and the findings of any investigation.

Information from a previous investigation resulting in a substantiated complaint may be used for review and consideration purposes in the event of a new allegation.

False or Frivolous Complaints

Employees should be cognizant of the fact that a formal complaint against another employee is a serious allegation, with possible repercussions.

Where a complaint is found to be either false or frivolous, or where supporting documentation for a complaint has been falsified, the complainant or witness may be subject to disciplinary measures up to and including termination of employment.