351R - RESPECTFUL WORKPLACE
(REGULATIONS)

1. Conflict Resolution Process

The intent of this process is to resolve conflict between people. The process offers the individuals involved in the conflict the opportunity to resolve the conflict directly with the other party, voluntarily through the assistance of Mediators/Facilitators and then through a formal complaint. Individuals are encouraged to follow through each of the steps until the process has been successfully resolved.

Step 1 (a) Speak with the offending person directly

The offended party is encouraged to voluntarily speak directly with the offending person and try to resolve the conflict. In many cases, the person may not have realized their actions or comments were creating an issue for the individual. Most reasonable people will change their behaviour when they discover it is creating issues for others.

Step 1 (b) Mediated Resolutions

1. Another option for resolution is to provide an opportunity for either party to request a trained Mediator/Facilitator to help resolve the conflict. If this option is selected, the Mediator/Facilitator will speak with the other party to determine if they are interested in participating in this process. Participation in this process is voluntary.

2. Discussions with Mediators/Facilitators are to be considered confidential by all participants. As per WorkSafeBC Policy P2-21-2, the employer is responsible for establishing procedures for record-keeping requirements. The procedure will be that a written record of the complaint leading to the mediation will be maintained by the Human Resources Department.

3. The Mediator/Facilitator will help the parties explore options to resolve the issue. They may offer suggestions or alternatives for the parties to consider, but it is up to the individuals involved in the conflict to reach their own resolution.

4. A supervisor may be a Mediator/Facilitator. However, if the supervisor is involved in disciplinary or performance issues concerning the same parties, it is not appropriate for that supervisor to act as a Mediator/Facilitator. The conflict will be referred to another Mediator/Facilitator.

Step 2 Formal Complaint

1. If Steps 1(a) and 1(b) have not been successful in resolving the conflict, or the parties have decided to not make use of them, a formal written complaint can be made, directed to the Supervisor who has responsibility for the area (e.g. Principal, Assistant Superintendent, Supervisor, etc.).

2. If the Supervisor is the cause of the conflict, the complaint would be directed to that person's Manager/Assistant Superintendent.

3. If the Superintendent is the cause of the conflict, the complaint would be directed to the Chairperson of the Board of Education.

4. The Superintendent or designate will conduct a confidential investigation of the complaint in order to determine the facts and assess whether this Policy has been breached.

5. The time taken to investigate the complaint will not normally exceed 4 weeks from the date of filing of the formal complaint.

6. The Superintendent or designate may choose to retain an outside investigator to conduct the investigation.

7. The Complainant and the Respondent(s) will have a right to representation during the investigation process. For Union employees, the representative would be someone from their local - the Central Okanagan Teachers' Association (COTA) or CUPE Local 3523.

Step 3 Report the Incident

1. WorkSafeBC Policy P2-22-1 requires an employee to report an incident of bullying or harassment they have experienced or observed to their employer. The employer can be a Supervisor, Manager or the Human Resources Department.

2. Remedial Action

Where a breach of this Policy has been substantiated, an appropriate remedy will be provided to the person who has been subjected to inappropriate behaviour. Corrective action will be taken against the person(s) who has breached this Policy. This may include education or training, denying access to School District facilities and activities, and/or in the case of District employees, discipline up to and including termination of employment.

3. Retaliation

It is also considered to be a breach of this Policy to take retaliatory action against a person who raises a concern or files a complaint under this Policy.

4. Further Information

Any questions regarding the Respectful Workplace Policy or its accompanying regulations can be referred to the Superintendent of Schools/CEO or designate.

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