

PROCEDURES FOR HANDLING & RESOLUTION OF COMPLAINTS

a) Early Problem Resolution

The objective of early resolution is to resolve an alleged violation of the Respectful Workplace Policy as soon as possible, in a fair and respectful manner without having to resort to the formal complaint process. Every effort will be made to resolve the issue early with open communication and in a cooperative manner. The use of problem resolution mechanisms such as coaching, counseling and facilitation can in many instances resolve the issue and prevent the situation from escalating to the point where filing a complaint is necessary.

A person who feels offended by the actions of another person in the Division is encouraged to make it known to that person as soon as possible in an attempt to resolve the issue. If the issue is not resolved at this point or if the offended person does not want to speak directly with the other person, the offended person will meet with his or her Administrator/Supervisor in an attempt to find a solution and resolve the issue. An offended person may request that a mediator (either internal or external) be involved in an attempt to resolve the situation.

In the event that the Administrator/Supervisor is unable to resolve the issue or the Administrator/Supervisor determines the issue warrants the attention of the Principal/Director, then the School's Principal/Director will be notified. The School Principal/Director must make every effort to resolve the issue between the parties as quickly as possible.

If an informal resolution is reached it will be documented and implemented, however any documentation will be maintained in a confidential file separate from the personnel files of either party.

b) Complaint Process

If early resolution is not successful or is not deemed appropriate, the complainant may file a complaint with the School Principal/Director or alternatively with the Superintendent or designate. Complaints must be made or filed in a timely manner and no later than **six (6) months from the date on** which the event(s) took place.

If a complainant wishes to make a written complaint the following process will be followed:

Step 1 - Filing a Complaint

The complainant submits a written complaint which contains particulars of the allegations. This complaint should be submitted on or accompanied with a "Report of Harassment" form and submitted to the School Principal/Director or the Assistant Superintendent-Personnel.

Step 2 - Acknowledgement of the Complaint

Upon receipt of the complaint the School Principal/Director or the Assistant Superintendent-Personnel acknowledges receipt of the complaint in writing to the complainant and copies the acknowledgement form to the School's Liaison Superintendent.

Step 3 - Review of the Complaint

Once the complaint has been acknowledged the School Principal/Director or the Assistant Superintendent-Personnel reviews the complaint. If it is determined from the initial review that the complaint is not a violation of the Respectful Workplace Policy, the complainant is informed in writing and redirected to the appropriate avenue of recourse.

Step 4 - Investigation

If the School Principal/Director or the Assistant Superintendent-Personnel concludes from the initial review that a violation of the Respectful Workplace Policy may have occurred, he or she will initiate the investigation procedure. The format of the investigation is determined by the Division *with the input of the Association/Union and the complainant* and may involve either an internal or an external investigator *if requested by the complainant and agreed to by the Division*. Prior to any interview of the respondent the respondent will be provided particulars of the complaint in writing, including the allegations. Both complainant and respondent have the right to be accompanied by a union representative or another person during the investigation process.

Step 5 - Decision

The person who is conducting the investigation will make recommendations to the Division concerning the results of the investigation and the Division will then determine an appropriate response based on those recommendations. Both the complainant and the respondent will be advised in writing of the results of the investigation.

The Division will ensure that corrective and/or disciplinary measures are taken if determined to be appropriate. Documentation pertaining to the complaint and investigation will be maintained in a confidential file separate from the personnel files of either party unless disciplinary action results, which will be placed in the relevant personnel file.

In the event that a complaint is determined to be frivolous or vindictive in nature, disciplinary action may be taken against the complainant. This does not apply to complaints made in good faith but which are not proven.

Step - 6 - Appeal

Where the respondent disagrees with the decision (findings or penalties) of the investigator or a complainant disagrees with a finding that a complaint has been filed frivolously, an appeal may be made in writing to the Superintendent within fifteen (15) working days of receipt of the decision.