



Adams Lake  
Indian Band

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| <b>Policy:</b>         | <b>O-5.3</b>                   |
| <b>BCR #</b>           | <b>2015-2016: 52</b>           |
| <b>Approved By:</b>    | <b>Chief and Council</b>       |
| <b>Approval Date:</b>  | <b>November 3, 2015</b>        |
| <b>Amendment Date:</b> |                                |
| <b>Policy Holder:</b>  | <b>Human Resources Manager</b> |

## **Conflict Resolution Policy**

### **Purpose / Rationale**

Employees who wish to make a complaint regarding a breach of policy or any other concern, or who feel subjected to unfair or discriminatory treatment, harassment or bullying should take the following steps (these steps may also be used to facilitate dialogue and encourage conflict resolution):

### **Scope**

This policy applies to all Adams Lake Indian Band Employees, including Supervisors and Management. The Policy also applies to Chief and Council.

### **Steps to Resolution**

#### **Early Resolution:**

- (1) Attempt to defuse the situation with facilitative behaviour, such as:
  - Using “I” statements and active listening;
  - Establishing mutual respect;
  - Requesting time to talk in a private space; and/or
  - Suggesting that the focus be on the work, not the personalities or persons.
- (2) If the difficult situation or offensive behaviour continues, make your discomfort known and firmly ask the person to stop and, if appropriate, suggest the behaviour you would like to see.
- (3) If the above strategies do not effectively address the situation, or you do not feel safe confronting the person directly, speak to your Supervisor.

- (4) Your Supervisor (or if applicable, the Human Resources Manager, Band Manager and/or Chief) will discuss the situation with you and explore an information resolution, if appropriate.

**Informal Resolution:**

- (5) An informal resolution would involve your Supervisor (or if applicable, the Human Resources Manager, and/or Chief) speaking to you and the other party(ies) involved – separately and/or together, with the goal of reaching a mutually agreeable resolution. Potential resolutions at this stage are only limited by the parties commitment and willingness and may include:

- Recognition of responsibility/accountability;
- Entering into commitments (verbally or in writing as appropriate), apologizing or making amends (eg. “making it right”);
- Coaching, mentoring, peer support and/or feedback;
- Participation in counseling and/or training (internal or external); and
- Participation in conflict resolution/mediation/facilitation.

If the matter is escalating, or determined inappropriate for informal resolution, information resolution may end in favour of the “formal” resolution process.

**Formal Resolution:**

- (6) A formal report or complaint (“Complaint”) is to be submitted to (or statement taken by) the Supervisor setting out the details of the situation. For example, if the Complaint is of bullying or harassment, the Respondent (“Respondent”) is identified, the offences described, with dates, times and names of potential witnesses. The employee will also be asked to describe the steps they have taken, if any, to address the concern directly with the Respondent. Any supporting information/evidence (notes, electronic records etc.) must also be provided at this time.

- (7) The Complaint and all supporting information will be provided to the Human Resources Manager, Band Manager and/or Chief.

- (8) The Complaint will be reviewed to determine whether a Company policy has been potentially violated. Informal resolution (see #5) will also be canvassed and will be encouraged if the matter appears to be minor or involving interpersonal conflict. If not resolved, and the offences alleged may constitute bullying or harassment, a neutral investigator (“competent person”) will be appointed to investigate the complaint. The investigation would be conducted through the Human Resources Department and may be done internally or externally, as appropriate.

- (9) A competent person means an investigator who:

- Is impartial and is seen by the parties to be impartial;
- Has knowledge, training and experience in issues relating to workplace violence and in particular bullying/harassment; and
- Has knowledge of relevant legislation.

(10) The investigator will:

- Advise the Respondent a Complaint has been received and that an investigation has been initiated;
- Interview the Complainant and Respondent;
- Interview any witnesses to the incident(s);
- Collect all relevant information and records;
- Document the interviews; and
- Prepare a report, including making findings of fact.

(11) Interviews will be recorded by the investigator and, if appropriate, a manager from another department may sit in on the interviews. For confidentiality reasons, support persons will not be permitted to attend interviews.

(12) The investigator's report will be submitted to the Human Resources Manager, the Band Manager and/or Chief, the Complainant and the Respondent. Portions of the report may be redacted for privacy or confidentiality reasons.

(13) The Complainant and the Respondent will be given an opportunity to respond to the report, verbally or in writing (verbal responses will be recorded).

(14) If Adams Lake Indian Band determines there is an unacceptable level of workplace conflict, a policy of the Employer has been violated, confidentiality regarding the Complaint has not been respected, or any individual has engaged in retaliatory behaviours, corrective action will be taken, including but not limited to:

- Coaching;
- Participation in training (internal or external);
- Participation in conflict resolution/mediation/facilitation sessions;
- Performance management;
- Recommendations or requirements to undertake counseling;
- Discipline (ranging from formal warnings to suspensions with or without pay, to transfers or demotions, to termination of employment); and
- Other actions and/or combination of actions determined appropriate.

**A. LEGISLATED REFERENCES**

**B. LINKS TO SUPPORTING FORMS, DOCUMENTS, WEBSITES,  
RELATED POLICIES**