

The Council believes that in order to facilitate the orderly disposition of conflicts, disputes and/or complaints that may arise from time to time, procedures and responsibilities need to be set forth as the most effective way to deal with these situations.

It is the view of the Council that dispute, conflict and/or complaint resolution between student and staff member, parent and staff member, between/among members of staff, and between board members is most appropriately dealt with by direct dialogue between the persons in conflict, and in private where possible. Running down another person to others destroys trust and can easily escalate conflicts into accusations of harassment or defamation of character.

At third party levels of intervention, both sides of the conflict/dispute shall be heard and investigated objectively by the third party with a view toward striving to achieve a fair and workable resolution in a manner consistent with the rights and privileges of due process.

This policy supports the provision that disputes between employees or their bargaining agent and the employer may be resolved through the official grievance process. This policy further supports the provision that management, DEA's in the case of secretary treasurers, and Council in the case of the Superintendent, may also use the appropriate level of disciplinary action to correct any confirmed undermining, insubordination or unprofessional behaviour by an employee. This policy also supports the provision of informal or formal investigations as may be required to get to the truth of a matter. Finally, this policy supports the provision that an elected board may take disciplinary action, up to and including removal from office for violation of the Code of Conduct.

## **REGULATIONS**

- 1) The first step in conflict resolution is for the complainant, depending on the nature and seriousness of the concern, to speak directly and in private with the person with whom they are in conflict. The respondent should have the opportunity to hear the concern and address it. The exception is if the person is doing something immoral, unethical, illegal or dangerous, in which case the proper authorities should be informed immediately.
  - a) Complainants should use the following kinds of strategies to present their concern(s):
    - i) Ask the respondent to agree on a mutually convenient time and location to meet in private. A union representative or other trusted witness may be invited to attend if both parties are given advance notice.
    - ii) Share with the respondent and help them to understand what behaviour is of concern and how it makes you feel (the complainant is not to jump to negative conclusions or make accusations as to the person's character or motivation)
    - iii) Listen for the response and accept portion of the blame where appropriate
    - iv) Collaboratively troubleshoot/strategize for the short term (how can any damage be repaired or minimized?) and long term (what will each person do or not do to ensure the issue or behaviour does not happen again?)

- v) If issue not resolved satisfactorily or if behaviour continues, speak to again or write to inform the person of continued concern, and potential next steps if behaviour continues
- b) Respondents should engage in the following responsive (not defensive) active listening strategies:
  - i) Seek to understand - ask for clarification
  - ii) Show understanding - repeat in own words
  - iii) Give perspective and accept blame where appropriate
  - iv) Collaboratively troubleshoot/strategize for the short term (how can any damage be repaired or minimized?) and the long term (what will each person do or not do to ensure the issue or behaviour does not happen again?)
- c) Formal procedures for raising and documenting a concern include:
  - i) Verbal -raise the issue verbally with the respondent directly and in private (after the meeting, make note of the date, time and specifics of the conversation)
  - ii) Written - if the behaviour continues, clarify the concern in writing, reference previous discussions, and consider copying this to their supervisor
  - iii) Written to their supervisor - if the behaviour continues, raise the concern in writing, attach previous correspondence, and copy the employee/colleague of concern (seek advice from the supervisor or union as to how this can be done in the most productive/least disruptive manner)

2) In circumstances where direct communications are not successful or feasible, the conflict should be referred to third party intervention:

- a) Conflict between a student or parent and staff member, or between/among staff members should be referred to the school Principal.
- b) Conflict between parent and Principal or staff member and Principal should be referred to the Superintendent or his/her designate.
- c) Where it is not possible for the Superintendent to resolve the conflict, or if disciplinary action has resulted, the Superintendent will bring this confidential personnel matter, in-camera, to the attention of the Council.
- d) Conflict between board members, or between a school Principal and a board member, should be referred to the respective DEA or Council Chairperson and the Superintendent.
- e) Conflict between the Superintendent and a board member should be referred to the Chairperson and Council.

3) Any report of student, parent, vendor or staff member conflict or dispute to a member of a District Education Authority or the Council should be referred by that member to the respective school Principal or Superintendent for follow-up. The following provides specific guidance as to how board members should respond to concerns of this nature:

*Citizen Request/Complaint to Individual Board Member*

- a) When a citizen complains to a board member, the board member should:
  - i) Remind the citizen of due process and that the board member must remain impartial in the event the situation goes before the DEA or Council,
  - ii) Refer the citizen to the Principal's or the Superintendent's office, and
  - iii) Inform the respective Principal or Superintendent of the complaint immediately.

- b) When appropriate, the superintendent or designate shall communicate with the citizen in a timely manner and follow up with the board member.
- c) The board, individually or collectively, shall promptly refer all significant criticisms, complaints and suggestions called to its attention, regardless of the source, to the Superintendent for study or appropriate action or recommendation. The Superintendent shall investigate such matters and inform the board of the results or status of such matters.

*Employee Request/Grievance to Individual Board Member*

- d) When an employee contacts a board member about a grievance, the board member should:
  - i) Remind the employee of the chain of command,
  - ii) Remind the employee of the due process procedure and remain impartial, and
  - iii) Discuss the incident with the Superintendent immediately.

*Vendor Request/Concern to Individual Board Member*

- e) Individual board members should not respond to vendor calls, other than to:
  - i) Reply, "I cannot discuss this with you in this manner",
  - ii) Ask if the vendor has made the request or concern known to the Superintendent or principal, and
  - iii) Ask if the vendor is currently involved in a bid process that has not yet been awarded (Note: If so, such conversation could disqualify the vendor's bid.).
- f) The board member should then inform the Superintendent of the vendor request/concern immediately.
- g) When appropriate, the Superintendent or designate shall communicate with the vendor in a timely manner and follow up with Council.

Reference:	SSDEC Policy ADA – Principles for Working and Learning Together Council Policy BBF - Code of Conduct SSDEC Policy GCQG – Prevention of Harassment ECE <i>Promising Practices for Respectful and Harassment Free School Communities</i> GNWT <i>Harassment Free and Respectful Workplace Policy (2011)</i> <i>A Guide to Applying the Harassment Free &amp; Respectful Workplace Policy (2011)</i> <i>GNWT Occupational Health and Safety Regulations (2015)</i> section 34 <i>GNWT Public Service Act</i> sections 29-34 <i>Human Resource Manual</i> sections 0000 -Code of Conduct and 0700 -Discipline UNW <i>Collective Agreement</i> article 37 - Adjustments & Disputes NWTTA <i>Collective Agreement</i> article 20 - Grievance & Arbitration Procedures <i>GNWT Human Rights Code</i> <i>Canadian Charter of Rights and Freedoms</i>
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