

RESPECTFUL WORKPLACE POLICY: INFORMAL COMPLAINT PROCEDURE-

HUMAN RESOURCE PROFESSIONAL

Procedure for human resource professionals responding to allegations of offensive behaviour (informal complaints)

What you need to know

1. Upon learning of alleged offensive behaviour, human resource professionals have a duty to take reasonable action in the circumstances, to address it and to protect employees from further offensive behaviour. Human resource professionals must take action within ten (10) working days. This does not necessarily mean that an informal complaint must be resolved within this time.
2. A human resource professional may learn of alleged offensive behaviour from an individual who has experienced it; from an individual who has become aware of it; or by witnessing it themselves.
3. Human resource professionals will consult the Respectful Workplace Policy and/or Respectful Workplace Office as needed, and may refer a matter to the Respectful Workplace Coordinator at any point, to initiate the formal complaint process.
4. The Manager/Director of Human Resources may delegate her/his activities under this procedure, as appropriate.
5. Throughout this process, information should be shared on a need to know basis only.
6. Where a formal complaint is made under this policy, the informal process ends and the matter is dealt with through the formal complaint process.
7. Where a conflict of interest which may compromise the fairness of this process is identified at any stage, responsibility for tasks will be reassigned as necessary to address the conflict and alleviate any reasonable apprehension of bias.

What you need to do

1. Where a human resource professional receives an informal complaint, s/he will ensure the employee alleged to have experienced the offensive behaviour is advised of her/his resolution options.
2. After being advised of her/his resolution options, if the employee chooses to communicate her/his concerns directly to the person who allegedly caused the offensive behaviour, the human resource professional will follow-up with the employee to determine whether the matter has been addressed and whether the offensive behaviour has stopped. If so, further action may not be necessary.

3. Where the matter is not resolved through communication between the individuals involved, the human resource professional refers the matter to the Manager/Director of Human Resources, as appropriate.
4. The Manager/Director of Human Resources will collect facts and review relevant information including discussion with the human resource professional who initially received the informal complaint.
5. The Manager/Director of Human Resources will establish a confidential file for the informal complaint, to contain all relevant documents and notes.
6. If the individual(s) alleged to have caused the offensive behaviour is a not an employee (as defined by the Respectful Workplace Policy), but is at an employee's workplace, carrying out her/his duties for an external employer, the human resource professional will advise the appropriate manager of the alleged incident and the manager will ensure the individual's employer is advised of the situation.
7. If the matter is not complex and may be easily resolved, the Manager/Director of Human Resources may work with the parties toward resolving the informal complaint. Respectful Workplace and Employee Assistance Program brochures are provided (if not previously provided).
8. If appropriate, the Manager/Director of Human Resources may meet with the manager(s) of the employees involved to gather information; gain an understanding of the situation; discuss resolution options and brief her/him on the situation.
9. The Manager/Director of Human Resources consults Employee Relations Consultants as required. The Manager of Human Resources briefs the Director of Human Resources if s/he is not already involved.
10. The Manager/Director of Human Resources meets with the employee who made the informal complaint, to get additional information, potential witnesses, timeframes and possible solutions.
11. The Manager/Director of Human Resources interviews the employee alleged to have caused the offensive behaviour (union rep may be present, if applicable).
12. If appropriate, the Manager/Director of Human Resources meets with the manager(s) of the employees involved to collect additional information, time frames, potential witnesses and possible solutions.
13. The Manager/Director of Human Resources determines whether the formal complaint process is required. If so, s/he refers the matter to the Respectful Workplace Coordinator, which initiates the formal process.
14. If the formal process is not required, the Manager/Director of Human Resources interviews witnesses as appropriate.
15. The Manager/Director of Human Resources makes findings and recommendations for resolution and/or disciplinary action as appropriate.

16. Once the informal complaint has been resolved, workplace restoration activities are implemented as appropriate.

Process ends.