



PAL Stratford Inc.

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Conflict Resolution Policy

Values

PAL Stratford (“PAL”) is committed to ensuring concerns and complaints communicated by its members, volunteers, employees and tenants will be free of retaliation or reprisal and will be resolved in an expeditious and equitable manner.

PAL believes that a clean and open channel for the expression of member, volunteer, employee and tenant suggestions, problems, issues, and/or complaints is a fundamental principle of sound human relations. Thus, each member, volunteer, employee and tenant is encouraged to talk to the Chair of the Board or a Board Director about any problem, complaint, or issue that might arise concerning their engagement on PAL business. Under no circumstances will a member, volunteer, employee, or tenant be penalized for presenting a problem, complaint, or suggestion to the Chair of the Board or a Board Director.

Objectives

PAL aims to resolve issues or differences in a fair and equitable manner.

Informal Resolution Process

It is an important part of our values to have open, candid, and effective communications as the preferred means of resolving differences and disputes, hopefully before they become larger issues.

Any member, volunteer, employee, or tenant (the “complainant”) who believes they have legitimate concerns about any aspect of their relationship with PAL should first discuss those concerns with the Chair of the Board or a Board Director and attempt to resolve them satisfactorily. If the issue is not resolved in a manner that is satisfactory to the complainant, the complainant may lodge a formal complaint with the PAL Board.

Informal resolution procedures are those aimed at reaching a satisfactory settlement without entering into a formal complaint process. Generally, informal resolution procedures are used when the complainant is not seeking disciplinary action against the respondent but may wish to remedy an unsatisfactory situation to prevent its recurrence, or to redress harm caused by the alleged action.

Informal Complaint Procedure

Under the informal complaint procedure, a person who feels they have a legitimate complaint against another may exercise any one (1) of the following options without filing a written or formal complaint:

- Discuss the concern directly with the person who is felt to have been guilty of the concerning behaviour.
- Consult with the Chair of the Board or designate.

Under the informal complaint procedure, a complaint against a member, volunteer, or employee may also be resolved through discussions among all parties directly involved, organised and directed by the Chair of the Board or designate, without the need to involve a third-party investigator. To initiate this procedure, a written complaint should be submitted by the complainant to the Chair of the Board, including the following information:

- Details of the complaint
- Dates
- Times
- Location
- Description of behaviours
- Witnesses
- Any occasion when the respondent was told to stop such behaviour or any other efforts, including written notice to the respondents, to stop such behaviour.

The staff to whom the complainant and the named respondent in the complaint are accountable will be notified that an informal complaint procedure has been requested. If the issue is resolved through discussion with all parties involved, the Chair of the Board will prepare, as a matter of record, a written Statement of Understanding.

If a complaint is against a tenant, and cannot be resolved through direct discussion, a written complaint (as described above) is submitted to Stratford Property Management and the tenant will be sent a letter warning that a complaint has been lodged and the behaviour needs to stop. If the behaviour does not change within 7 days, a follow up written complaint must be sent to Stratford Property Management, and a more formal N5 warning will be issued.

Formal Resolution Process

If a complainant's concern is not resolved in a satisfactory manner through the informal process, a formal written complaint may be lodged.

A formal complaint is required to be in writing. Preparing a complaint will not be interpreted as criticism of the individual who attempted to resolve the issue informally, but rather a next step in satisfactory resolution. The recipient of a formal complaint will provide a copy of the complaint to the Chair of the Board.

Within a reasonable time, the Chair of the Board or designate shall meet with the complainant, and the recipient of the complaint. All parties will receive a written response to the issue within five (5) working days of this meeting. If the matter is not resolved in a satisfactory manner, the complainant may appeal the matter.

Formal Complaint Procedure

The formal complaint procedure is utilized when the alleged concern cannot be resolved through the informal complaint procedure; this process can be initiated at the discretion of the Chair of the Board or designate or on the request of the complainant. Formal complaint procedures are those involving a more detailed, intensive investigation and a more extensive examination of witnesses and documents.

Like the informal complaint procedure, it is imperative that written documentation be provided to the Chair of the Board. The written complaint should include:

- A detailed description of the alleged offending behaviour
- Dates
- Times
- Location
- Witnesses
- Any occasion when the respondent was told to stop such behaviour or any other efforts, including written notice to the respondents, to stop such behaviour.

The Chair of the Board will advise the complainant as to whether the complaint falls into the classification of harassment or violence and, if so, the next steps to be taken. Where the complaint is judged not to fall within the provisions of harassment or violence policies, the Chair of the Board will provide the complainant with a written statement formally indicating the reason for this judgement.

Where a complaint is judged to fall within the provisions of the harassment or violence policy, the Chair of the Board will advise the respondents, as soon as possible, and provide them with a copy of the written complaint(s).

A written document which details findings, decisions, and any disciplinary or other actions to be taken if a complaint is substantiated is to be prepared by the Chair of the Board.

The Chair of the Board or designate will make every effort to act on complaints of harassment within 10 days of receiving the written complaint. The Chair of the Board or designate may

utilize a “third party” investigator and/or legal counsel to investigate the complaint and provide a report of findings and recommendations. Every effort will be made to ensure that the findings and recommendations of the investigation are reported no later than 60 days after receipt of the written complaint.

External Representation at the Interview

PAL may generally permit those being interviewed to have a representative of their choosing present, as long as it is practical and as long as the interview will not be delayed.

The Investigative Report

The preparation of a written investigative report clearly demonstrates that PAL has acted promptly and reasonably, took action, spent the time and resources necessary to conclude the investigation of a complaint, and complied with the provisions of the *Occupational Health and Safety Act*.

The format of the investigative report will largely be a function of the scope of the investigation. It will, at a minimum, provide to an uninformed reader the following information:

- The identity of the parties
- The nature of the complaint
- Pertinent background information about the PAL, workplace surroundings, PAL’s policies, etc.
- A summary of the facts and statements of the witnesses
- The parameters of the investigation (i.e., the time frame in which it was conducted, whether or not counsel was present during the interviews, whether there were any restrictions on the investigation, and what additional information is required for a complete investigation, if any)

The investigative report will be prepared by the investigator(s) and they will be responsible for its contents, including attached exhibits. It is recommended that the report be prepared in a professional manner.

The investigative report may be shared with the Board, legal counsel, etc. Witness names appear in the investigative report as it is a complete record of the investigation and therefore witnesses’ names and statements will appear. As noted above, witnesses must understand that confidentiality will be maintained to the extent possible but that, for the most part, their statements are not confidential. This should be disclosed in the preliminary statement relayed to them at the outset of the interview. If there is a special circumstance, such as the possibility the investigative report would be published in the media, witnesses’ names will be redacted and replaced with ‘Witness 1,’ ‘Witness 2,’ etc., though this may cause complications.

Complaint Resolution

If an investigation reveals that a complaint of harassment or workplace violence is valid, remedial action will be taken. Corrective actions may include any one (1) or more of the following:

- A formal apology
- Written warning
- Termination
- Legal action
- Criminal charges

Complaint to the Ontario Human Rights Commission

PAL respects the right of any person to make a complaint to the Ontario Human Rights Commission at any time.

Confidentiality

The highest standards of confidentiality will be maintained in order to protect any party against unsubstantiated claims that might result in harm or malicious gossip. Confidentiality must be differentiated from anonymity. In any complaint involving a written statement, the complainant(s) seeking a remedy through this policy must be prepared to be identified to the respondent(s). The identity of witnesses will be protected at their request to the extent possible. The written complaint and information regarding the investigation will be shared with the least number of individuals possible and on a “need-to-know” basis only, as determined by the Chair of the Board or designate.

Record-keeping

A copy of the Statement of Understanding developed through the complaint procedure will be provided to the complainant(s) and respondent(s). The Chair of the Board or designate will communicate in writing to both the complainant(s) and respondent(s) concerning findings, recommendations, and actions regarding the individual in the formal complaint procedure process. Copies of these documents will be maintained.

The Chair of the Board or their designate will advise both the complainant(s) and respondent(s) of any action to be taken, with all due attention to confidentiality, and advise any other persons who might be involved in the process. In compliance with legal requirements, all records of informal and formal complaint procedures, outcomes, and actions will be maintained for seven (7) years from the date the Statement of Understanding are signed by all appropriate parties.

AFFIRMATION REGARDING CONFLICT RESOLUTION POLICY

I affirm that I have received a copy of the Conflict Resolution Policy, have read and understood its contents, and agree to comply with the policy.

Name of Volunteer/Employee/Tenant

Signature of Volunteer/Employee/Tenant

Date