

CIMS Human Resources Protocol

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 5.02 ON
Section:	Employee Relations	Issued:	12/08/2013
Subject:	Dispute Resolution	Effective	12/08/2013
Issue to:	All Manual Holders	# Pages:	5
		Replaces	
Issued	Executive Director	Dated:	

1 POLICY

1.01 CIMS believes in resolving employee concerns and disputes, related to their employment relationship, in a prompt and equitable manner.

Who are Employees of CIMS?

CIMS staff member, contract staff, temporary staff, paid project participant, oral health teacher, paid event participant, paid seminar participant, paid exhibition participant.

1.02 Employees have the right to appeal any personnel decisions or actions regarding either his/her compliance with the Code of Conduct, confidentiality and/or conflict of interest policies, or any other aspect of human resources policy.

1.03 Employees who express any concerns, or lodge a formal complaint under this policy, or who provide information regarding a complaint under this Statement of Policy and Procedure may do so without fear of retaliation or reprisal. Any such conduct will be subject to immediate corrective action.

2 PURPOSE

2.01 The purpose of this Statement of Policy and Procedure is to provide an effective problem-solving and dispute resolution process which every employee can utilize without concern for reprisal or recrimination. It is a vehicle by which employees may lodge complaints or express concerns to management about their long term or short term employment relationships with **CIMS**, or on other issues.

3 SCOPE

3.01 This Statement of Policy and Procedure applies to all paid staff.

4 RESPONSIBILITY

4.01 The Executive Director has to take steps to acquaint staff with their rights under this policy.

4.02 Coordinators are responsible for investigating and responding to employees in a

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timely manner regarding issues or concerns raised through this procedure.

- 4.03** Employees who believe they have legitimate complaints or concerns are encouraged to use these procedures - without fear of reprisal or recrimination.

5 DEFINITIONS

None

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

SPP HRPP 5.01 - Employee Relations Principles

7 PROCEDURE

7.01 Informal problem-solving

Employees who believe they have legitimate concerns about any aspect of their employment relationship with **CIMS** should first discuss those concerns with their immediate manager and attempt to resolve them satisfactorily. Managers are required to discuss and/or investigate any concern raised, and to respond in an appropriate manner, within **two (2)** working days of learning of the concern or dispute. If the issue is not resolved in a manner that is satisfactory to the employee, a formal complaint may be lodged by the employee.

7.02 Formal problem-solving

- (a) If an employee's concern is not resolved in a satisfactory manner, through the informal problem-solving process, a formal complaint may be lodged, within **five (5)** working days of the facts becoming known that give rise to the concern or dispute.
- (b) A formal complaint is required to be in writing, on the Incident Resolution Form shown in Attachment "A" to this Statement of Policy and Procedure. The completed and signed Form shall be addressed to the employee's immediate manager and be presented to that manager. The employee may request the assistance of any member of **CIMS** in preparing a formal complaint. Preparing a formal complaint will not be interpreted as criticism of the immediate manager. The recipient of a formal complaint shall provide a copy of the complaint to the recipient's immediate superior.
- (c) Within **two (2)** working days of receiving a formal complaint, or at a time mutually agreed upon, the manager's direct superior shall meet with the employee and manager, investigate the complaint, and respond, in writing, to the employee who lodged the complaint.
- (d) If the matter is not resolved in a satisfactory manner, the employee may appeal the matter, within **five (5)** working days of receiving the written response, and consult with the **Executive Director**, in an attempt to resolve

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the issue.

- (e) If a difficulty remains unresolved after such discussion, or the employee is not satisfied with the outcome, the employee may file a formal grievance. A written grievance should be presented to the Executive Director and should:
 - (i) Outline the nature of the grievance with reference to the policy in question.
 - (ii) Include any supporting documentation, where appropriate.
 - (iii) Include a request for a response in writing from the Executive Director

The Executive Director shall take such reasonable steps as may be required to ensure that all pertinent information has been received, including meetings with the employee filing the grievance, the Program Coordinator who made the initial decision on the grievance. In any event, the Executive Director shall respond in writing within 10 working days of having received the written appeal from the employee.

- (f) If, after the decision of the Executive Director, the employee is still not satisfied with the decision, she/he may seek leave to appeal to the Board of Directors. Such a request must be received by the Chairperson of the Board of Directors within 10 working days of the Executive Director's decision in writing having been made.

A letter seeking leave to appeal should be sent to the Chairperson of the Board of Directors and copied to the Executive Director requesting to appeal the decision of the Executive Director. The Chairperson shall discuss the matter with the Executive Director and review documentation to ensure the Executive Director has taken such reasonable steps as may be required and has followed the organizational policies and procedures in reaching the conclusion. If the Chairperson concludes that the Executive Director has taken reasonable steps and has followed the organizational policies and procedures, he/she shall respond in writing within 10 working days of having received the written appeal from the employee to acknowledge the complaint and give his/her conclusion. The Chairperson's decision is final.

- (g) However, in the event that the Chairperson concludes that the Executive Director hasn't taken reasonable steps and hasn't followed the organizational policies and procedures, he/she shall refer the matter to the Board for final consideration and/or explanation. The Chairperson shall submit the employee's written complaint, together with a memorandum of actions taken and assessment of the complaint, to the members of the Board and a meeting shall be convened. Normally, a period of not more than one month shall elapse for this formal procedure. The Chairperson shall respond in writing indicating the board's decision. The board's decision is final.

8 ATTACHMENTS

Attachment "A" - Dispute Resolution Form.

Attachment "A"

Dispute Resolution Form

EMPLOYEE: (paid staff, teachers, temporary paid project participant) _____

POSITION: _____ DEPARTMENT: _____

WHAT HAPPENED? (Objectively state details) (Use additional pages, if necessary)

WHO WAS INVOLVED? (Include names of parties involved and witnesses, if any)

WHERE and WHEN DID THE INCIDENT TAKE PLACE? (Identify the specific location, date and time of incident)

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WHY DO YOU BELIEVE THIS SITUATION CONSTITUTES A CONCERN? (Examples are: Statement of Policy and Procedure violation, unjust or unfair treatment, favouritism, harassment/discrimination, etc.)

WHAT REDRESS ARE YOU SEEKING?

Employee Signature

Date

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MANAGER'S RESPONSE:

Coordinator's Signature

Date