

EASTERN TOWNSHIPS SCHOOL BOARD	Dignity Procedure	
	PROCEDURE FOR THE INVESTIGATION OF SENSITIVE INTER-PERSONNEL INCIDENTS	
<i>Source:</i> DIRECTOR HUMAN RESOURCES	<i>Adopted:</i> November 23, 2004 Modified May 22, 2007	<i>Reference Number:</i> P028-1

PURPOSE

The purpose of this procedure is to present to ETSB employees a clear process to follow should they become the victims of violence, sexual or psychological harassment or verbal insults.

PROCEDURE

If an incident of inter-personnel nature occurs, the following procedure is to be followed:

1. The employee involved in an incident, or to whom an incident is reported, should report the incident immediately to his/her immediate superior¹. The employee should also notify their appropriate association / union representative.

In situations where the immediate superior is directly implicated, the employee should contact the Director of Human Resources. In such cases, the Director of Human Resources, or a named delegate, will assume the responsibility of the investigation. In any step of the present procedure, if the Director of Human Resources is directly implicated, then the Director General will assume the role normally performed by the Director of Human Resources.

In the reporting of such incidents, all parties involved will be advised to refrain from discussing the details of the incident reported with others until the appropriate investigation has been completed.

2. Once an incident has been reported to an administrator, he/she must immediately inform the Director of Human Resources. Following this, the administrator should attempt to resolve the situation by informal and confidential mediation, if the parties involved agree.

If the employee who has reported the incident indicates that the situation has been resolved, then the administrator must assure himself/herself that indeed there has been a resolution to the problem.

If the employee who has reported the incident indicates that the situation has not been resolved, or if the administrator is of the opinion that it is not resolved, then the administrator shall carry out a detailed investigation.

If an incident came to the attention of an administrator without being officially reported, the administrator must still investigate the incident. The employees concerned should be informed at this time.

Any intervention undertaken by a designated authority, in the investigation of an alleged incident, shall be documented and submitted to the Director of Human Resources for record keeping.

¹ Immediate superior: administrator of school/centre or department.

3. If an informal resolution of the problem is not possible, the administrator shall carry out an investigation of the incident in conformity with the appropriate collective agreement or the regulation. In carrying out the investigation, the administrator will meet separately and/or jointly with the parties involved in the incident. There must always be at least two (2) representatives of the Board present during a meeting, one of which shall be the Director of Human Resources or his/her delegate, even if the person involved chooses to participate in such a meeting alone. It is understood that this person has the right to be accompanied by someone of his/her choice at such a meeting.

In conformity with the *Policy for the Protection of the Dignity of Employees in the Workplace*, in cases of sexual harassment, at least one of the Board's representatives shall be of the same sex as the employee who has been harassed.

4. Prior to that meeting, the administrator will request that the employee and any witness of the incident submit a confidential written statement of the incident. It is understood that if disciplinary measures have to be taken at a later date, then these confidential statements may have to be utilized.

If the employee or a witness refuses or is unable to submit a confidential written statement of the incident, the administrator will prepare a written record of the incident as reported by the employee or witness. Subsequently, the employee or witness will be requested to initial and date the written record to indicate that it accurately reflects the incident.

5. Following the investigation, the administrator shall prepare a written report of the findings, addressed to the Director of Human Resources, annexing the confidential statements. In this report, the administrator will outline the incident; summarize the results of the investigation and present recommendations as to the steps to be taken to redress the situation and to prevent such an incident occurring in the future. If the Director of Human Resources concurs with the recommendations, the administrator will take the necessary steps to implement them. Should the incident prove to be false or fabricated, disciplinary measures may be taken against the employee concerned.
6. If part of the solution concerning a reported incident requires the disciplining of an employee, then the process described in the appropriate collective agreement or Regulation will be followed.
7. If, following the application of the specific procedure, the incident has not been resolved to the satisfaction of the employee(s) concerned, the situation may be identified as a topic for discussion at one of the regularly scheduled Labour Relations Committee meetings between the Board and the relevant association / union.
8. Recognition of the Need of Support Services – In applying the specific procedures, the parties involved may need the assistance of support services. Some examples of such assistance follow:
 - ◆ Those involved in sensitive situations may be assisted through the Employee Assistance Program (EAP).
 - ◆ The school administration carrying out an investigation may be assisted through advice and direction provided by an administrative superior.
 - ◆ The employee may obtain guidance and advice from their association / union.