

Policy Number:	8002
Policy Title:	Conflict Resolution
Approved by:	President
Approval date:	August 24, 2020
Effective date:	August 24, 2020
Review date:	June 30, 2023
Next review date:	June 30, 2026

1. Policy Statement

1.1. University Canada West (the “**University**”) supports the prompt and fair resolution of workplace concerns or disputes. While such concerns or disputes may arise from time to time, employees must always act professionally and respectfully, and facilitate the search for a resolution.

2. Purpose

2.1. The purpose of this Conflict Resolution Policy (this “**Policy**”) is to outline the process employees may follow, both informally and formally, to resolve concerns or disputes in the workplace that are not addressed in another University policy.

3. Scope

3.1. This Policy applies to all employees of the University, including administrators, faculty, and staff.

4. Definitions

4.1. These definitions apply to terms as they are used in this policy:

Word/Expression	Definition
University Community	Means all University Employees and Students, and any other person who is contractually obligated to comply with this Policy.
Employee	Means an employee of the University, including administrators, faculty, and staff.
Retaliatory Action	Means any adverse action taken against a person because that person reports or alleges a violation of this Policy, seeks advice on making a Complaint, makes a Complaint, or cooperates in an investigation of a Complaint.
Student	Means a person who is enrolled as a student at the University.
University Community	Means all University Employees and Students, and any other person who is contractually obligated to comply with this Policy.

Employee	Means an employee of the University, including administrators, faculty, and staff.
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5. Informal Conflict Resolution

- 5.1. Employees are encouraged to resolve a concern or dispute in the workplace informally, by discussing it directly with the Employee(s) involved and attempting to resolve the matter between them.

6. Formal Conflict Resolution

- 6.1. If an Employee is not comfortable addressing the matter informally, or if the informal process has not resolved the concern or dispute, the Employee can report the matter formally to their Supervisor, or to Human Resources. Reports may be made orally or in writing.
- 6.2. All reports will be taken seriously, and will be dealt with fairly, promptly, sensitively, and confidentially.
- 6.3. The University will take the steps it considers necessary and appropriate to resolve the matter.
- 6.4. If an investigation is conducted, it will be approached in an unbiased manner. All employees who are involved in the conflict or dispute are entitled to a fair hearing.
- 6.5. The University may attempt at any stage of the process to mediate the concern or dispute.
- 6.6. The outcome of the formal process will depend on the nature of the concern or dispute, and the relevant circumstances.
- 6.7. If the University decides that action is required, such action may include, but will not be limited to, education, training, counselling, transfer of an employee, review of policies and procedures, etc.
- 6.8. If an employee is found to have engaged in misconduct, disciplinary action may be taken, up to and including termination of employment.

7. Retaliation Prohibited

- 7.1. The University prohibits retaliation against an employee for making reports and/or for participating in investigations relating to workplace concerns or disputes, provided the employee has acted in good faith and based on a reasonable belief, or
- 7.2. who, in connection with any proceeding by or before any regulatory authority, administrative agency, government enforcement agency, court, arbitration or other governmental forum or body, lawfully participates and/or assists in an investigation or hearing and/or provides testimony or files a complaint or claim.

8. Breach of this Policy

- 8.1. Any employee who fails to comply with this Policy may be subject to disciplinary action, up to and including termination of employment.
- 8.2. An employee may also be subject to disciplinary action if the employee:
 - 8.2.1. makes a report pursuant to this Policy that is malicious, frivolous, vexatious, in bad faith or without reasonable belief; or
 - 8.2.2. retaliates against another employee in breach of this Policy.

9. Confidentiality

- 9.1. Confidentiality of all persons and information involved in a conflict resolution process is expected.
- 9.2. To protect the integrity, fairness, and effectiveness of investigations and to ensure compliance with the *BC Personal Information Protection Act* (“**PIPA**”), all participants in a conflict resolution process must act in accordance with the confidentiality requirements set out in this section.
- 9.3. Employees who have obtained personal information about an identifiable individual through their participation in a conflict resolution process must not disclose this information to anybody except their own personal advisors or representatives, or as required by law. However, this section does not prevent:
 - 9.3.1. any participants in a conflict resolution process from disclosing information about themselves, or information that they have obtained outside the conflict resolution process; or
 - 9.3.2. University representatives from disclosing information related to the conflict resolution process as authorized under this Policy.
- 9.4. The University will not disclose any personal information related to a conflict resolution process except to the extent such disclosure is:
 - 9.4.1. expressly authorized by the affected individual(s);
 - 9.4.2. to a University representative, if necessary for the performance of that individual’s duties;
 - 9.4.3. to participants in the conflict resolution process, if necessary for the conduct of the process;
 - 9.4.4. authorized by this Policy; or

- 9.4.5. authorized or required under law.
- 9.5. Information may also be shared where:
 - 9.5.1. an individual is at imminent risk of self-harm;
 - 9.5.2. an individual is at imminent risk of harming another; or
 - 9.5.3. there are reasonable grounds to believe that others in the University Community or wider community may be at risk of harm.
- 9.6. To maintain the integrity of the investigation process, the University must ensure that all participants know the findings of any investigation conducted by the University.
- 9.7. Under the PIPA, the University is only authorized to disclose disciplinary actions it has taken if the disclosure is authorized by the University for compelling health or safety reasons.

10. Amendments to this Policy

- 10.1. The University reserves the right to amend or update this Policy from time to time at its sole discretion.

11. Responsibility

- 11.1. Vice President, People & Culture (Human Resources) has responsibility for the decisions related to this policy.

12. Related policies

Policy Number	Policy Title
8003	Standard of Conduct

13. Related procedures

Procedure Number	Procedure Title
8002p	Conflict Resolution