

# **CONFLICT MANAGEMENT AND GRIEVANCE RESOLUTION POLICY**

## **1. Preamble**

St. Joseph College of Education believes in clear and open communication, and encourages Council, management, staff, students and college representatives to talk directly with their supervisor(s) and colleagues and vice versa. If an issue or conflict does arise, it is recommended that the individual tries to resolve the problem with those directly involved. An affected victim may also choose to involve his or her supervisor/colleague or any representative if necessary. In discussing the conflict, it should be remembered that confidentiality and individual rights are highly respected.

If after this discussion the affected victim feels the issue is still not resolved, he/she may request a meeting with the next level of authority/supervisor or may apply for a final appeal with the College Council before any external legal resolution outside the College is resorted to. In the event that the affected victim prefers an individual meeting with the next level of authority/supervisor or any other senior management staff the supervisor of the appropriate level will be notified. By exploring the issue in a professional and constructive fashion it should be possible to find an appropriate way to resolve the problem.

## **2. Purpose/Objectives**

The purpose of this Policy is to promote the following objectives:

- ensure that the College will act expediently if problems do occur, and that all individuals, irrespective of gender, whether management, staff, student or any other person, will be treated with fairness, respect, and consistency.
- encourage all individuals, whether management, staff, student or any other person to bring forward any complaints or recommendations dealing with safety, health standards, proper working conditions, performance appraisals, discipline and fair management practices, without fear of reprisal.
- create opportunity for any disputes, controversies or suggestions to be first handled between the individual and his or her immediate Supervisor/HOD/Department/Unit, unless they are serious enough to warrant intervention by the next level of authority/management or Council.
- that an individual who has not obtained a solution to a conflict/grievance within five (5) working days of the circumstances that gave rise to the situation has the right to bring the matter to the attention of the next level of authority/supervisor or management. Complaints should be in writing and include all relevant circumstances.
- If the individual is not satisfied with the response, he or she has the right to discuss the issue with the Principal. If the Principal cannot fulfill the individual's expectations and the conflict persists,

the individual may decide to bring the matter, in writing, to the Council Chairman and the Council will be notified. The Council's decision will be final in terms of the College's internal conflict management avenues.

### **3. Scope/Application**

This policy shall apply to members of the College Council, management, staff, students, all persons or groups who have regular and direct dealings with the College e.g. alumni, contractors, etc. to protect the credibility and integrity of the College, through the promotion of commitment to a decision making process that always keeps the best interests of the College in mind:

- by dealing with conflicts in an effective and meaningful way to ensure a healthy relationship in the College and with all stakeholders;
- by turning conflicts into healthy interactions that will move the College forward in a spirit of cooperation and collaboration in accomplishing the broad goals of accountability and integrity for the College;
- by committing members of the college community to legal compliance, adherence to applicable ethical standards, disclosure of potential conflicts of interest relating to business or personal relationships, protection of the institution's assets (intellectual property and financial assets), and adherence to document retention and whistle-blower policies. (See the College's Whistle-blower Policy)

### **4. The Policy Statement**

The policy on conflicts is committed to ensuring that all cases so defined in this document as conflict follow the outlined steps in this document in managing and resolving all cases of conflicts involving the College Council, management, staff, students and other stakeholders to ensure the realization of the mission and vision of the College in:

- Providing the opportunity to resolve a conflict or complaint quickly, fairly and without reprisal to any individual
- Improving communication and understanding between management, supervisors, staff, students, stakeholders and any member/group representing the College.
- Ensuring confidence in management decisions by providing a mechanism whereby management decisions can be objectively reviewed
- Supporting a positive work environment by allocating supervisors/HODs responsibility for preventing and resolving conflicts and complaints
- Identifying organization policies and procedures which need to be clarified or modified

- Ensuring that all individuals, whether management, staff, student or any other person who initiates conflict resolution or makes a complaint, or participates in a problem resolution investigation is not subjected to intolerance, disciplinary action, penalty or retaliation.

## **5. Supporting Procedures**

### **1.0 Conflict Management and Grievance Resolution**

**1.1 Types of Conflict:** The following shall be seen as conflict issues in the College:

- Differences of opinion
- Disagreements on how to handle issues
- Complaints about performance or direction
- Financial disagreements
- Criticism of behaviours or attitudes
- Fighting with one another
- A test or challenge to power or position
- A threat out of control
- Communication breakdown
- Sexual harassment or sexual misconduct
- Unlawful demonstrations and inciting others to participate in unlawful demonstrations
- Staff, students, stakeholders, management taking action contrary to the directives or mission and vision of the College.

### **5.2 Conflict Resolution**

If any college staff member or student has a complaint against another member for an infraction of any by-law or rule they may file such a complaint in writing to the Disciplinary Committee. Such complaints will be investigated according to the College Conflict Resolution policy. Management shall create and involve a person or a small group of objective, uninvolved people. This panel shall perform the tasks of gathering information and then ultimately seeing the resolution through with the involved parties.

***Note:** Although not required, all individuals, whether management, staff, student or any other person are encouraged to follow the informal approach to problem resolution prior to making a formal complaint.*

#### **5.2.1 Proceedings**

Grievance Proceedings shall include but not limited to the following steps:

## **Informal Conflict Resolution and Complaint Process**

Any individual, whether management, staff, student or any other person who experiences a work related conflict or who has a complaint should first attempt to discuss the matter with their immediate Supervisor/HOD/Department/Unit representative. In some situations this may be difficult or inappropriate. In these cases, the aggrieved person may request a meeting with the next level of management to discuss the problem.

The immediate Supervisor/HOD/Department/Unit representative will analyse the merits of the conflict resolution requestor complaint, and within three (3) working days will meet with the complainant to inform the complainant of the proposed plan of action.

If the affected individual is not satisfied with the informal resolution of the problem, he or she may proceed informally to the next level of immediate Supervisor/HOD/Department/Unit or management before finally proceeding with the formal problem.

At this stage, a statement certifying that attempts to resolve this matter have been made and were unsuccessful must be written. The statement shall include a description of the specific actions the Grievant has taken to attempt to resolve the matter under College rules; and the action the Grievant wishes taken next.

The Grievance Statement may be accompanied by supporting documentation that shall be considered a part of the Grievance Statement.

## **Formal Conflict Resolution and Complaint Process**

Any individual who has a complaint or require management intervention in relation to a work related conflict and wish to initiate the formal problem resolution process must prepare written documentation, with supporting details, of the conflict situation or complaint and submit it to the Chairman of the Disciplinary Committee.

The Chairman of the Disciplinary Committee will investigate the merits of the conflict resolution request or complaint. The Chairman will consult with members of the Disciplinary Committee and other relevant individuals, if necessary.

Within five (5) working days of receiving the conflict resolution request or complaint, the Chairman will complete the investigation and prepare a written response. The Chairman will forward a copy of the response along with a request that the complainant sign and date the copy to confirm he or she has received the reply and agrees or disagrees with the supervisor's plan of action.

If the complainant agrees with the recommended plan of action, the Chairman will send a copy of the signed reply to the Principal or a College Management representative for inclusion in the complainant's personnel file.

If the conflict or complaint has not been resolved to the complainant's satisfaction, the Principal or a College Management representative will forward the complete file, including the conflict resolution request or complaint, documentation of relevant factual information, analysis of the information, the conclusion, and the recommended resolution, to the next level of conflict management.

The next level of conflict management will investigate any relevant issues in the file and any newly discovered evidence or information that may arise during the problem resolution process. The next level of conflict management will forward a response to the complainant either concurring with the previous resolution or proposing an alternative resolution.

If the complainant agrees with the resolution at this stage, the next level of conflict management will send a copy of the signed reply to the Principal or a College Management representative for inclusion in the employee's personnel file.

If the complaint has not been resolved, the employee can request the complaint be investigated by the highest authority, that is, the College Council. The decision and recommendations made by the Committee set up by the College Council will be final so far as the conflict resolution mechanism concerns the College internally.

### 5.3. Disciplinary Proceedings

Grievance/Disciplinary Proceedings shall begin with the filing of a Grievance/Disciplinary Statement as follows:

- i. Scope: The Chairman of the Disciplinary Committee may initiate disciplinary proceedings as to any matter arising.
- ii. Review: The Chairman of the Disciplinary Committee shall have thirty (30) days to review the matter if:
  - The Chairman of the Disciplinary Committee determines that further proceedings are **not warranted**, the Chairman of the Disciplinary Committee shall in writing so advise the person initiating the disciplinary proceeding and the person(s), if any, who filed the complaint or grievance.
  - If the Chairman of the Disciplinary Committee determines that further proceedings are **warranted**, the Chairman shall in writing so advise the person initiating the disciplinary proceeding and indicate either:
    - ✓ that such person or the person(s), if any, who filed the complaint or grievance may file a Grievance Statement (in which case the person who files the Grievance Statement shall be the "Grievant") or
    - ✓ alternatively, and at the discretion of the Chairman of the Disciplinary Committee, that the Chairman of the Disciplinary Committee has decided to file a Grievance Statement (in which case the individual concerned shall be the "Grievant" with the

representative of the HOD, Unit Head, the SRC or any relevant body within the College acting on behalf of the individual).

5.4 The **Grievance Statement** shall contain the following:

- a) The name of the party/parties filing the Grievance Statement;
- b) The name of the Council member, management, staff, SRC or member of an association or club or body against which the action is brought; the named individual or member of association, club or body will be the “Respondent”

#### 5.5 **Complaint Resolution Procedure**

The College will act expediently if problems do occur and all individuals, whether staff, students or management or stakeholders, will be treated with fairness, respect, and consistency. All employees have a right to bring forward any complaints or recommendations dealing with safety, health standards, proper working conditions, performance appraisals, discipline and fair management practices, without fear of reprisal.

Any disputes, controversies or suggestions must first be handled between the employee and his or her immediate supervisor, unless they are serious enough to warrant intervention by the next level supervisor or other member of the senior management team.

An employee who has not obtained a solution within five (5) working days of the circumstances that gave rise to the situation has the right to bring the matter to the attention of the next level immediate Supervisor/HOD/Department/Unit. The Principal shall be informed of the matter.

That person in question will review the circumstances within five (5) business days and will consult the Principal.

Complaints should be in writing and include all relevant circumstances. The complainant and Supervisor/HOD/Department/Unit head will receive a solution or a written reply from the Principal five (5) more working days.

If the complainant is not satisfied with the response, he or she has the right to discuss the issue with the Principal. If the Principal cannot fulfil the employee’s expectations and the conflict persists, going through the prescribed steps, the issue shall be termed as “unresolved” and in need of mediation. The employee may decide to bring the matter, in writing, to the Chairman of the College Council and the Principal will be notified.

The College Council Chairman’s decision will be final.