

DISCIPLINE, COMPLAINTS & DISPUTE RESOLUTION POLICY

Approved September 19, 2014

Canadian Sport Institute Pacific (CSI Pacific) supports an environment of safety, trust and mutual respect for all its Staff. CSI believes that conflict brings an opportunity for change and greater understanding, and encourage all Staff to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences.

Regrettably, not all conflict can be resolved through direct and open communication and formal procedures are necessary to resolve the complaint. In situations where serious conflict exists and intervention is necessary the following procedures have been put in place, in an effort to resolve conflict in an expedient, yet fair manner.

POLICY STATEMENT

Any breaches of CSI Pacific Policy, in particular those related to *Staff Code of Conduct, Board & Volunteer Code of Conduct, and Human Resources Policies* shall be handled using the following procedures.

DEFINITIONS

The following terms have these meanings in this Policy:

- a) “*Clients*” – Users of CSI Pacific services, including on-site services, such as athletes, coaches, medical staff, and other personnel connected to a team or athlete;
- b) “*Staff*” – Any individual employed by, or engaged in activities on behalf of, CSI Pacific including employees, contract personnel, volunteers, medical personnel, researchers, and administrators
- c) “*Complainant*” – The Party initiating a complaint;
- d) “*Days*” – Days irrespective of weekend and holidays;
- e) “*Respondent*” – The Party who is the subject of the complaint; and
- f) “*Parties*” – The Complainant, Respondent, and any other Individuals or persons affected by the complaint.

APPLICATION

CSI Pacific will provide an environment in which all clients and staff involved with CSI Pacific are treated with respect. Association with CSI Pacific, as well as participation in its activities, brings many benefits and privileges. Staff are expected to fulfill certain responsibilities and obligations including complying with CSI Pacific’s policies, bylaws, rules and regulations, and *Staff Code of Conduct*. Irresponsible behaviour by staff can result in severe damage to the integrity of the CSI Pacific. Conduct that breaches these values may be subject to disciplinary action pursuant to this Policy. Since discipline may be applied, CSI Pacific provides staff with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.

This Policy applies to all staff, Board members, directors and volunteers. Complaints against clients will be directed to the client’s National or Provincial sport organization, as appropriate.

This Policy applies to disciplinary matters that may arise during the course of CSI Pacific business, activities, and events including, but not limited to:

- contact with clients;
- travel associated with CSI Pacific activities;
- CSI Pacific’s office environment, and;
- any business activities related to CSI Pacific.

Disciplinary matters and complaints arising within the business, activities, or events organized by entities other than CSI Pacific will be dealt with pursuant to the policies of these other entities unless requested and accepted by CSI Pacific at its sole discretion.

PROCEDURES

1. INFORMAL COMPLAINT PROCESS

It is our intention that employees will use open communication and attempt to resolve issues of conflict using the Informal Procedures and Alternate Dispute Resolution techniques before issuing a formal complaint.

Individuals are first encouraged to take initial steps to speak to the person they are having concerns with. Many times disputes arise due to misunderstandings and miscommunications.

If the request is unsuccessful, or if it is considered inappropriate or uncomfortable to make such a request, employees should discuss the matter with their Discipline Area Lead, or if the Discipline Area Lead is allegedly involved, to the Chief Executive Officer (or designate).

Alternative Dispute Resolution and Mediation

CSI Pacific supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternate Dispute Resolution avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.

Opportunities for Alternate Dispute Resolution may be pursued at any point in a dispute within the Canadian Sport Institute Pacific when all parties to the dispute agree that such a course of action would be mutually beneficial.

2. FORMAL COMPLAINT PROCEDURES

Before issuing a formal complaint, staff should attempt to resolve the issue using the Informal Complaint Process. If the issue is not satisfactorily resolved, or requires a formal complaint to be issued, the following process should be followed:

1. The complainant will submit a formal complaint in writing, using the Formal Complaint Form, to the Chief Executive Officer (or designate), or where the Chief Executive Officer is involved, the Board, within ten (10) days of the latest alleged occurrence. Such a complaint must be in writing.
2. The Chief Executive Officer (or designate) will review the formal complaint and facts that have become known through the Informal Complaint Process and the Alternate Dispute Resolution Process (if applicable), who will determine the appropriate action to be taken such as disciplinary action, external mediation, or an investigation; and
3. A Complainant wishing to file a complaint outside of the ten (10) day period must provide a written statement giving reasons for an exemption from this limitation. The decision to accept, or not accept, the complaint outside of the ten (10) day period will be at the sole discretion of Chief Executive Officer (or designate) of CSI Pacific. This decision may not be appealed.

3. INVESTIGATION PROCEDURES

The process for investigations includes the following steps:

1. The Chief Executive Officer (or designate) will be responsible for initiating an in-house investigation at once in all cases of inappropriate workplace behaviour. The course of the investigation might involve outside authorities;
2. The investigator appointed will determine a fair and unbiased process to follow.

3. If the complainant and the respondent agree on what happened, then the investigator may not have to investigate any further;
4. All investigations will result in a written report with recommendations for resolution to the Chief Executive Officer (or designate), or the Board, as the case may be, who will inform the relevant parties of the final decision;
5. If the evidence found in the investigation upholds the allegation of inappropriate workplace behaviour, CSI Pacific shall initiate immediate follow-up and disciplinary action (as appropriate).; and
6. Reports of violence, discrimination, bullying or harassment found to be frivolous, vindictive, or vexatious in nature, may lead to disciplinary action.

4. DISCIPLINARY ACTION

The Chief Executive Officer (or designate) may apply disciplinary action depending on the seriousness of the incident.

5. CONFIDENTIALITY

The discipline and complaints process is confidential and involves only the Parties, the Investigator, the Chief Executive Officer (or designate), and any independent advisors to the Chief Executive Officer (or designate). Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

6. TIMELINES

If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Chief Executive Officer (or designate) may direct that these timelines be revised.

7. RECORDS AND DISTRIBUTION OF DECISIONS

All incidents that result in disciplinary action shall be recorded and maintained by CSI Pacific. Other Canadian Sport Institutes/Centres may be advised of any decisions.