

Topic: Workplace Health & Safety

7.1 Appendix F - Violence and Harassment Procedures: Investigation

Board Motion Number:	21.105
Date of Original Board Motion Number:	March 24, 2015
Date of Current Issue:	October 28, 2021
Date of Next Review:	2022
Attachments:	

Signature of Board Chairperson (and Date):

Investigation

The NKPL supports zero tolerance for all types of workplace violence, domestic violence, harassment and discrimination within the workplace or at work related activities. The NKPLB is committed to control and minimize the risk of workplace violence and to support employees who may be exposed to workplace violence.

The NKPL is committed to investigating any complaint of workplace violence, domestic abuse, harassment and discrimination. It is committed to a workplace of respect and dignity where employees know they can come to CEO/Librarian to report such incidents and know they will be appropriately dealt with in a consistent manner.

Investigation Procedure:

Reporting

See 7.1 Appendix E

Accepting the Complaint

1. The Advisor/Mediator must take every complaint/incident seriously and
 - Offer support to all complainants
 - Encourage the complainant to talk about the incident or concern
 - Consider the employee's well-being
 - Provide counseling when necessary
 - Involve the employee when creating solutions to address the concern
2. The Advisor/Mediator must keep notes as the complainant is explaining the situation, highlighting who, what, when, where, and the resolution, encouraging the complainant to provide as much detail as possible. Complainants are also encouraged to keep notes.
3. The Advisor/Mediator must make sure the discussion notes are date and time-stamped.

Notification

4. Advisor / Mediator will, for an informal complaint, verbally contact the respondent advising them that a complaint has been lodged against them and obtaining their input.
5. For a formal complaint, the Advisor / Mediator will coordinate the preparation and delivery of a letter advising the respondent that a complaint has been lodged against them and what is expected of them during the investigation.
6. Advisor / Mediator will coordinate the preparation of a letter to any witness(es) explaining that a complaint has been lodged and they have been named as a witness and what is expected of them during the investigation.
7. Advisor / Mediator will coordinate the preparation of a letter to the complainant acknowledging receipt of the complaint and the investigation steps.

Assessing the Complaint

8. The Advisor / Mediator will:
 - Assess the complaint in an unbiased manner
 - Identify the nature of the complaint and issues as presented
 - Review all applicable policies and the legislation, if necessary, to ensure a full understanding of the framework within which the complaint is considered

Evidence Collection

9. The Advisor / Mediator will:
 - Collect the necessary documents to further review the allegations of the complainant (eg documentation, photos, sketches, policies and procedures, emails, phone records, equipment, regulations, legislation, etc.)
 - Review any and all documentation that may be available

Interviews

10. The Advisor / Mediator will:
 - Interview the complainant first to establish the facts of the complaint and to gather more information;
 - Interview the respondent, providing him/her with an opportunity to respond to the complaint.
 - Interview any witness(es) to establish the facts provided by the complainant and respondent;

Evaluating Evidence

11. The Advisor / Mediator will evaluate all the evidence that has been gathered during the course of the investigation and make a determination as to the likeliness of the complaint.

Report

12. The Advisor / Mediator will submit a report to the Library Board detailing the investigation undertaken including any recommendations for action.

Outcome / resolution

13. Notification to the complainant will be provided upon conclusion of the investigation. Information pertaining solely to the findings will be provided. No disciplinary outcomes will be discussed.
14. Notification to the respondent will be provided upon conclusion of the investigation including any disciplinary action or education / training required.
15. Notification to the witness(s) will be provided that the investigation has concluded.
16. Any training, education and / or disciplinary action.
17. Review the effectiveness of the policy.

Timing

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

Reprisals / Retaliation: No report of workplace violence, domestic violence, harassment or discrimination can be the basis of reprisal against the reporting complainant. Any failure to respect this prohibition against retaliation will be taken seriously and will be sanctioned upward and including dismissal. This is inclusive of malicious reporting. Malicious reporting is a serious offence and will not be tolerated. If the Advisor/Mediator determines that the complaint has been made frivolously, vexatiously and/or in bad faith, disciplinary action may be taken against the complainant.

Confidentiality: The NKPL will not disclose the names of any person involved with a complaint (the employee, the witnesses or the respondent), or any circumstances related to a complaint, to anyone, except as necessary to investigate the complaint or take disciplinary action related to the complaint, or as required by law. All persons involved with an investigation are subject to the NKPL's Confidentiality policies. Everyone involved with a complaint is reminded to keep all information confidential, except in the above circumstances. Any breach of confidentiality will be taken seriously and could include dismissal.

Records

All records of reports and investigations of workplace violence and harassment are kept for three years after resolution. All notes and / or documents related to a review, whether informal or formal will be placed in the appropriate personnel files.