

Policy Number:	
Policy Title:	Aboriginal Gateway Training Center Dispute Resolution Policy
Approved by:	Executive Committee
Review date:	-
Next review date:	By March 31, 2022

The Prince George Nechako Aboriginal Employment and Training Association (“PGNAETA”) operates a private training center, called the Aboriginal Gateway Training Center (“AGTC”). The aim of the AGTC is to promote a climate of understanding and mutual respect for the dignity and worth of each person.

Purpose

This Policy governs complaints from students respecting the AGTC and any aspect of its operations.

Retaliation

A student who makes or is otherwise involved in a complaint will not be subject to any form of retaliation by the AGTC at any time.

Conflict Resolution Procedures

The process by which a student complaint will be handled is as follows:

Student complaints must be made in writing, and must contain the details of the complaint, including the name of the person being complained of (the “Respondent”), particulars of the incident(s), date, time, and place of the incident(s) and where possible, the names of witnesses.

Complaints against other students will be presented to the program coordinator (the “Coordinator”). The Coordinator will consult with the Team Lead/Manager of the AGTC or Executive Director to determine whether the complaint falls within the scope of the Policy, and advise the person bringing the complaint (the “Complainant”) of this determination:

- If the complaint falls outside the scope of the Policy, the complaint and any related documentation will be destroyed.
- If the complaint falls within the scope of the Policy, the Team Lead/Manager will immediately inform the Respondent in writing of the allegation(s), provide the Respondent with written particulars of the complaint and ensure the complaint is kept in confidence, to the extent possible, and disclosed only on a need to know basis.

If the complaint is against the Coordinator, it will be presented to the Team Lead/Manager of the AGTC or Executive Director, who will follow the above procedure.

The AGTC may, in its discretion, proceed in the absence of a complaint from the person(s) directly affected to ensure an environment free from conflict. In such cases, the Executive Director will determine whether to proceed, and whether this or another AGTC policy/procedures applies.

Informal Resolution

The Team Lead/Manager may, where appropriate, seek informal resolution to the complaint. Informal resolution may include mediation, education and cultural or traditional practices involving one or both parties, such as talking circles, elder engagement and healing circles.

If informal resolution is acceptable to the parties, the Team Lead/Manager shall prepare a record of resolution to be signed by both parties and/or assist in bringing about whatever administrative or other action is needed to implement the resolution.

Investigation

If the Team Lead/Manager determines that an informal process is not appropriate or if an informal resolution is not reached, the Team Lead/Manager may, in their discretion, arrange for a formal investigation to commence. If a formal investigation is warranted, the Team Lead/Manager will determine whether the investigation will be carried out by internal or external personnel, based on the circumstances.

After the investigation is completed, the investigator will prepare a report (the “Investigation Report”) setting out the nature of the complaint, and of findings of fact at the conclusion of the investigation.

The Investigation Report will be forwarded to the Executive Director who will share it with the Executive Committee of the Board of Directors (the “Executive Committee”).

Findings

After reviewing the Investigation Report, the Executive Committee will consider its findings, decide upon a course of action (if any) and provide a written decision to the parties. If the Executive Committee determines the Respondent has not engaged in the conduct complained of, it will a) dismiss the complaint and b) prepare a record of resolution, a copy of which will be provided to the parties.

If the Executive Committee determines the Respondent has engaged in the conduct complained of, the Executive Committee may a) request and be provided with any previous record of past misconduct by the Respondent, to determine whether discipline is appropriate, or b) impose appropriate discipline on the Respondent, or c) if the Respondent is an employee, place the record of resolution in the Respondent’s personnel file and d) take any other steps that the Executive Committee deems necessary in the circumstances.

If the Executive Committee determines that the complaint is frivolous, vindictive or vexatious nature, it may take appropriate action, which may include discipline, up to and including expulsion and/or dismissal.

Reconsideration

Any discipline may be appealed to the Executive Committee.

Timeframe

The AGTC will provide written reasons for the decision and the reconsideration, if any, to be given to a student as soon as possible, and no later than 30 days after making a complaint.

Referral to the PTIB

If a student is dissatisfied with the determination, and believes they have been misled by the AGTC regarding any significant aspect of the program, the student may file a complaint with the Private Training Institutions Branch (“PTIB”) at: www.privatetraininginstitutions.gov.bc.ca. Complaints must be filed with the PTIB within one year of the date a student completes, is dismissed from or withdraws from the program.

Temporary Removal

Where the Complainant is, at the time of making the complaint, under the supervision of the Respondent, then, the Complainant may request that arrangements be made for the Complainant’s work and/or examinations to be evaluated by a disinterested party and, if necessary, for the parties to be removed from the complaint environment pending the result of the investigation.

Representation

A student who makes a complaint may be represented by an agent or a lawyer. The agent may be a friend, family member or another student.

Records

All records related to student complaints will be kept confidential except as otherwise provided by the policy or as required by collective agreement or law.

The Executive Assistant to the Board of Directors will keep a statistical record of complaints which will include:

- the nature of the complaint;
- the date of the complaint;
- the status of the parties (i.e. gender, position, etc.);
- if resolved informally, the nature of the resolution;
- the finding of the Executive Committee; and
- where applicable, the nature of the discipline imposed.

The statistical records will be summarized but will not be reported so as to identify the parties involved.

*** This policy is under review to ensure consistency with the Declaration on the Rights of Indigenous Peoples and to allow time to undergo a de-colonization of the language and intent***