



POLICY

RE: MEMBER-TO-MEMBER CONFLICTS

Adopted by Executive Council: February 12, 2024

Reviewed by Advisory Committee: September 21, 2022

This policy applies to conflicts that occur between members while at work in their workplace.

Conflicts that occur between members while at union events, functions, or in the course of their work as a steward, councillor or board member, falls under our Bullying and Harassment Policy.

Our Commitment and Obligations with Respect to Bullying and Harassment

We take allegations of bullying and harassment very seriously. As an organization, MoveUP must maintain a zero tolerance for bullying and harassment. As members of MoveUP, we must remind ourselves and each other that all members have the right to work in an environment free of bullying and harassment, including microaggressions*.

MoveUP has an obligation under Federal and Provincial Labour Codes to represent members who have been disciplined by employers. Our union also has a moral obligation to protect members who are victims of bullying and harassment. When one member complains of being bullied or harassed by another member, or members, we have an obligation to protect the legitimate interests of all members while a complaint is being investigated and beyond. We will endeavour to meet our various obligations to members who conflict with each other without compromising the rights of either (or any) member.

How We Will Ensure the Rights of All Members

When a member contacts our union with a complaint of bullying or harassment against another member, or the union is advised by an employer that there is a complaint against one member from another, depending on the nature and severity of the allegations, our union will immediately assign an experienced steward or Union Representative to represent the interests of the complainant and to provide the appropriate support. Our union will also ensure that an experienced steward or Union Representative is assigned to the respondent, and if required, to any witnesses. The assigned stewards or Union Representatives will handle the complaint with complete confidentiality.

A member who is accused of bullying or harassing another member has the right to the presumption of innocence while the complaint is being investigated and retains the rights granted to all members under the collective agreement. It is not the place of our union, or the representatives assigned to either party, to determine the validity of the complaint. Such determination will be the result of the investigation and the responsibility of the employer.

Our union will provide support to the complainant, respondent and any witnesses in all interactions with their employer, or any investigator contracted by their employer, and will proactively work with their employer to ensure the complaint process is timely and thorough. As well, we will take steps to

ensure that the complainant, respondent and witnesses can work in an environment free of harassment, during and after the investigation. We will urge the employer to act quickly and effectively to minimize the impact on the complainant, respondent, witnesses and workplace.

All members, including witnesses, involved in a member-to-member complaint of bullying and/or harassment should be provided with a copy of this policy statement to ensure they understand our role and obligations in the investigation and, possible grievance and arbitration processes.

Final Considerations:

Should any matter in this internal policy or its application be in conflict with an existing collective agreement it is understood that the collective agreement will be the final authority. This document does not constitute a modification to any existing collective agreement of the union. As our collective agreements prescribe certain time limits for filing a grievance and/or attempting any other conflict resolution step or method, the application of this internal policy must not jeopardise the strict observance of these time limits.

If anything in this policy conflicts with applicable law(s), the law(s) will prevail.

*Microaggressions are defined as subtle, insidious aggressions that are either intentional or unintentional and often reoccur. They dismiss, isolate, belittle, and other individuals, particularly based on marginalized identities.