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**EARLY RESOLUTION PROCEDURES**

1. **Purpose**

These procedures support and implement the Employee Early Resolution Policy by setting out a process to assess whether a particular matter is covered by the policy and if so, to set out a process that works towards resolving workplace conflict.

1. **Scope**

These procedures apply to all employees. If there is any doubt about whether these Procedures should be used, guidance may be sought from People & Organisation.

Types of Conflict Covered

Conflicts can be a disagreement or argument, an incompatibility between two or more opinions, principles, or interests, or a clash of opposing wishes or needs.

All types of conflicts and employment relationship problems that may occur in the university, including harassment or bullying, as well as conflict arising from student complaints about staff are potentially covered by this procedure. Conflicts may be:

* Interpersonal, for example, between employees about how they are spoken to or treated, how work is done or how a team is getting on; or
* Work-related, for example, conditions of work, job performance or whether or not employees feel treated fairly

Employees are encouraged to use the Employee Early Resolution Procedures if they have a conflict they cannot resolve easily themselves.

These Procedures are not intended to replace ordinary day to day / on the job interactions that occur between employees or between employees and their managers for the purposes of resolving employment relationship problems. These Procedures are provided for use when ordinary day to day / on the job interactions have failed to resolve a problem, or an employee finds it very difficult to raise a problem on his or her own and needs help.

While all types of conflict within the workplace are covered by the Policy, some conflicts may more appropriately be dealt with through a formal disciplinary process. This will be determined by People & Organisation taking into account the circumstances of the situation including the wishes of the affected employees.

1. **Definition**

**Conflict:**  Conflicts can be a disagreement or argument, an incompatibility between two or more opinions, principles, or interests, or a clash of opposing wishes or needs.

1. **Actions**

These Procedures provide four options for resolving conflict. The options are as follows:

1. Self – help / supported self – help
2. Manager / Supervisor / People & Organisation assistance
3. Facilitated conversation
4. Mediation

Employees can use any of the steps at any stage.

**4.1 Self – Help / Supported Self – Help**

Employees involved in a work place conflict should try to resolve the conflict by talking about it with the other person or people involved including:

* what the problem is for them;
* how it affects them or how it makes them feel;
* what they need to happen for the conflict to be resolved.

Employees attempting self-help must remember that the other person may have a different view of what has gone on, or need them to do something in order to settle the matter. They should listen to what the other person has to say, and see if things can be resolved through mutual dialogue.

Employees may choose to access information and/or obtain support from members of AUT’s Preventing Harassment Programme Contact Network (PHP). Information about the Preventing Harassment Programme including the names of all members of the Contact Network Service is displayed on the Intranet, (thewire.aut.ac.nz/harassment) and a list of Contacts is available through the PHP Coordinator, harassment@aut.ac.nz.

**4.2 Manager / Supervisor / People & Organisation assistance**

Employees may consult informally with a manager, supervisor or People and Organisation to receive support. This may include suggestions about the best course, and advice on options available to the employee.

**4.3 Facilitated Conversation**

The objective of a facilitated conversation is improved communications to prevent conflict/dispute and improve relationships between parties. This is an informal process, and no records will be kept. A facilitated conversation may be provided through People & Organisation or the Preventing Harassment Programme.

**4.4 Mediation**

When employees are involved in a conflict it can be difficult to talk about it with the other person or people involved. Supported self-help will not always be possible or successful and a manager may not be an appropriate person to bring it up with or may be unable to resolve the issue. All employees are encouraged to consider the benefits of participating in mediation in order to resolve conflict. Employees may request mediation by contacting the Mediation Service Coordinator in People & Organisation.

What is Mediation?

Mediation is a process in which an impartial third party assists the parties to resolve the issues between them on a confidential basis. How that works will depend on the mediator, the issues, and the parties themselves. A mediator’s role is not to make a judgement about who is right or wrong. Mediation is a "no blame" process. Mediation aims to help employees resolve conflict in a positive manner so that they can maintain good working relationships with the other party or parties in the future.

Mediation is not appropriate if a conflict involves allegations of serious misconduct or misconduct by an employee (for example, theft, assault, or harassment) which will be investigated using the Employee Discipline Procedures.

Mediators

The Mediation Service Coordinator may engage a professional mediator who is not a University employee to mediate a conflict. This may be a mediator from the Ministry of Business Innovation and Employment (MBIE) Mediation Service, or a private mediator depending on the circumstances and the wishes of the parties.

To Request Mediation

Employees may:

* discuss the idea with the person(s) they are having the conflict with. If the other person(s) agree, they can request mediation;
* talk to their Manager who may contact the Mediation Service Coordinator in People & Organisation to arrange mediation;
* contact the Mediation Service Coordinator themselves.

Manager Requesting Mediation

In some cases a manager may ask an employee to attend mediation with another employee or employees with whom they have a conflict if he or she becomes aware that a conflict exists which is affecting or has the potential to affect the work performance of one or more employees. It is a voluntary process, and both parties must agree to mediation.

**5. Mediation Process**

After mediation has been requested, the Mediation Service Coordinator in People & Organisation will suggest a Mediator and seek agreement from the parties, then arrange for the mediator to contact the parties to organise the mediation. The mediation process will depend on the circumstances and the wishes of the parties.

At the conclusion of mediation, the mediator will complete the Mediated Agreement for the parties.

**6. Responsibilities**

All employees have a responsibility to take steps to reduce workplace conflict and to take positive steps to resolve conflicts as soon as possible.

Direct responsibility for the operation of the Employee Early Resolution Procedures lies with People & Organisation.

**7. Policy Base**

Employee Early Resolution Policy

Preventing Harassment Policy

**8. Associated Documents**

These procedures must also be read in conjunction with the Employee Discipline Policy and the Preventing Harassment Policy.

1. **Implementation**

These procedures will be implemented once they appear on the Policies and Procedures webpage.

**10 DOCUMENT MANAGEMENT AND CONTROL**

Date of Issue: 27 March 2015

Date for Review: March 2017

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