

# APPENDIX E



**Assembly of Manitoba Chiefs**  
EMPOWERING OUR NATIONS

## **Policies and Procedures for Elected and Appointed Officials**

**Adopted July 31, 2019**

**ASSEMBLY OF MANITOBA CHIEFS  
POLICIES AND PROCEDURES FOR ELECTED AND APPOINTED OFFICIALS**

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## **INTRODUCTION**

This manual contains policies and procedures for the AMC Grand Chief of the Assembly of Manitoba Chiefs, the AMC Regional Chief, the Chiefs-in-Assembly, anyone elected or appointed to an AMC Committee or Council, AMC board or entity, or any other board or entity representing the AMC (herein after these people will collectively be referred to as the “AMC Representatives”).

These policies and procedures specifically excludes AMC Employees; whom are governed by a separate Employee Personnel Policy Manual.

This manual has been prepared to:

- ensure consistency in the response and process regarding matters affecting AMC Representatives engaged in AMC business;
- provide a reference document for elected officials generally and in particular when performing functions and duties of the AMC; and
- serve as a record for the procedure addressing concerns.

In the event a situation arises that is not covered within these policies and procedures, the AMC Executive Council of Chiefs shall use its discretion to deal with the matter and report the action taken to the AMC Chiefs-in-Assembly.

## **1.0 AMC REPRESENTATIVES CODE OF CONDUCT**

### **1.1. Conduct**

The following Code of Conduct may not cover every situation; it must nonetheless serve as a guide concerning the expectations of AMC with regard to the AMC Representatives.

All AMC Representatives are expected to:

- carry out all duties of their position within the AMC honestly, conscientiously and loyally;
- represent the AMC in a positive manner;
- cooperate and communicate with AMC staff;
- administer and, where necessary, interpret and explain the mandate of the AMC to the general public;
- recommend, within their sphere of responsibility, changes to policy which they believe are appropriate;
- conduct themselves in a manner that will bring credit to them and the AMC while on duty and in the public;
- not engage in public criticism of approved organizational policies;
- use information obtained from the AMC for the intended purpose, not for their own interests or those of other persons;
- make all efforts to attend AMC meetings, AMC assemblies, and / or entity or board meetings;
- not make any public or private statements on behalf of the AMC without specific authorization of the AMC; and,

- use equipment, property or supplies which are owned or rented by the AMC for authorized purposes only.

### **1.2. Confidential Information**

All documents, records and other information relating to the internal operations of the AMC or a First Nations member of the AMC shall be treated as confidential information and may not be disclosed except to authorized individuals. Failure to comply with this provision is grounds for disciplinary action including dismissal from an elected AMC position; elected AFN Regional Chief position; AMC committee; and AMC board/entity.

### **1.3. News Media Relations**

Unless otherwise directed by the Grand Chief, an AMC Representative shall not make statements to the media (all forms of media including social media) on behalf of the AMC.

## **2.0 CONFLICT OF INTEREST**

### **2.1. Definition**

The following definition of conflict of interest may not cover every situation; it must nonetheless serve as a guide as to potential conflict of interest may arise regarding an AMC Representative:

- a. A conflict of interest occurs when an AMC Representative acts, votes, has information or makes a decision in the course of their official duties which either purposefully or coincidentally furthers their own person interests and/or provides a personal gain; or a gain of their First Nation to the detriment of the AMC or another First Nation.
- b. A conflict of interest occurs where AMC Representative has the power to exercise authority, decision making, or has access to information from the AMC that provides the AMC Representative with the opportunity to further their personal or financial interests, including the interests of their relatives or friends or the financial interests of their First Nation to the detriment of the AMC or another First Nation.
- c. A conflict of interest occurs where an AMC Representative or a relative of an AMC Representative has a material personal or financial outside interest, or has received a gratuitous gift or benefit, that results in the actual conflict; or appearance that the AMC Representative cannot be objective in their actions or decisions regarding the AMC.

### **2.2. In the Event of a Conflict - AMC Grand Chief**

Upon election to the office of the AMC Grand Chief, the AMC Grand Chief shall remove themselves from all outside boards or committees. Should the AMC Grand Chief wish to remain on an particular outside board or committee, they will advise the AMC Executive Council of Chiefs and/or AMC Chiefs-in-Assembly.

In the event that the Grand Chief is, or is potentially, in a conflict of interest with the AMC, the Grand Chief must either:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to the Executive Council of Chiefs or the Chiefs-in-Assembly.
- b. Disclose all relevant facts in the matter to the Executive Council of Chiefs for the Executive to vote on whether to waive the conflict for the Grand Chief or disqualify the Grand Chief from any decisions regarding the subject matter of the conflict. The Grand Chief is not permitted to be present for this vote. A simple majority of votes (51%) is sufficient to render a decision.

The Executive Council of Chiefs may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the Grand Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If the AMC Grand Chief fails to disclose a conflict the Executive Council of Chiefs may institute disciplinary or remedial action as set out in item 6.0 below.

### **2.3. In the Event of a Conflict – Regional Chief**

Upon election to the office of the AMC Regional Chief, the AMC Regional Chief shall remove themselves from all outside boards or committees. Should the AMC Regional Chief wish to remain on an particular outside board or committee, they will advise the AMC Executive Council of Chiefs and/or AMC Chiefs-in-Assembly.

In the event that the AMC Regional Chief is, or is potentially, in a conflict of interest with the AMC, the AMC Regional Chief must either:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to the AMC Grand Chief or the Executive Council of Chiefs, or the Chiefs-in-Assembly.
- b. Disclose all relevant facts in the matter to the Executive Council of Chiefs for the Executive to vote on whether to waive the conflict for the AMC Regional Chief or disqualify the AMC Regional Chief from any decisions regarding the subject matter of the conflict. A simple majority of votes (51%) is sufficient to render a decision.

The Executive Council of Chiefs may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the AMC Regional Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If the AMC Regional Chief fails to disclose a conflict the Executive Council of Chiefs may institute disciplinary or remedial action as set out in item 6.0 below.

#### **2.4. In the Event of a Conflict – Other AMC Representatives**

In the event that an elected AMC Representative other than the AMC Grand Chief or the AMC Regional Chief is, or is potentially, in a conflict of interest with the AMC, the Chief must take one of the following three steps:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to the Grand Chief or the Executive Council of Chiefs, or the Chiefs-in-Assembly.
- b. If the conflict, or potential conflict, arises during the course of an Assembly, and the Chief has not recused him/herself, the Chief must disclose all relevant facts in the matter to the Chiefs-in-Assembly to vote on whether to waive the conflict for the Chief or disqualify the Chief from any decisions regarding the subject matter of the conflict. The Chief may not present for this vote. A simply majority of votes (51%) is sufficient to render a decision.

The Chiefs-in-Assembly may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
  - ii. Publishing the vote to the Chiefs-in-Assembly;
  - iii. Publishing the vote to the public generally; and,
  - iv. Allowing the Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).
- c. If the conflict or potential conflict arises outside of an Assembly, and the Chief has not recused him/herself, the Chief must disclose all relevant facts in the matter to the Executive Council of Chiefs to vote on whether to waive the conflict for the

Chief or disqualify the Chief from any decisions regarding the subject matter of the conflict. The Chief may not present for this vote. A simple majority of votes (51%) is sufficient to render a decision.

The Executive Council of Chiefs may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the Chief to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If a Chief fails to disclose a conflict the Executive Council of Chiefs or the Chiefs-in-Assembly may institute disciplinary or remedial action as set out in item 5.0 below.

#### **2.5. In the Event of a Conflict – Member of an AMC Committee/Council/Board/Entity**

In the event that a member of an AMC Committee/Council/Board/Entity is, or is potentially, in a conflict of interest with the AMC, the member must take one of the following three steps:

- a. Recuse / Remove him/herself from any discussion, or decision regarding the conflict or potential conflict, with a notification of this recusal to their respective committee/board/entity. The Committee/Council/Board/Entity will then notify the Grand Chief or the Executive Council of Chiefs, or the Chiefs-in-Assembly as they see fit.
- b. If the member does not want to recuse themselves, the member may raise the conflict or potential conflict to their Committee/Council/Board/Entity. The member must disclose all relevant facts in the matter to their Committee/Council/Board/Entity, as well as notify the AMC Secretariat and the Grand Chief of the issue.

The Committee/Council/Board/Entity must allow the AMC Secretariat and/or the Grand Chief (or an authorized representative) to participate in a discussion and vote if the AMC Secretariat and/or Grand Chief elect to do so. The committee/council/board/entity may not discuss or vote on whether to waive or disqualify a member, until they have received written confirmation from the AMC Secretariat and the Grand Chief as to whether they intend to participate in the vote.

Once the Committee/Council/Board/Entity confirms the participation of the AMC Secretariat and the Grand Chief, the Committee/Council/Board/Entity will hold a discussion and vote on whether to waive the conflict for the member or disqualify the member from any decisions regarding the subject matter of the conflict. The member may not present for this vote. A simple majority of votes (51%) is



sufficient to render a decision, however the AMC Grand Chief may veto any decision made and substitute it with their decision as they see fit.

The Committee/Council/Board/Entity may make any decision or provisions they see fit in the situation; including but not limited to:

- i. Keeping the vote confidential;
- ii. Publishing the vote to the Chiefs-in-Assembly;
- iii. Publishing the vote to the public generally; and,
- iv. Allowing the member to take certain actions so that they are not longer in a conflict of interest (ex. Resigning from another board/entity, divesting themselves of any competing financial interests, etc).

If a member fails to disclose a conflict the Executive Council of Chiefs or the Chiefs-in-Assembly may institute disciplinary or remedial action as set out in item 5.0 below.

## **2.6. Appointed Positions**

All AMC Representatives must to disclose to the AMC Secretariat and the AMC Grand Chief all Committee/Council/Board/Entity memberships, including and in particular any memberships outside of the AMC.

## **2.7. Business Interests**

An AMC Representative must not accept work outside the AMC if:

- it conflicts with the duties of their position within the AMC;
- it brings discredit upon the AMC;
- it causes them to exploit for personal gain other employees or acquaintances made through the AMC; and,
- it requires them to make unauthorized use of information, property or facilities belonging to the AMC.

All AMC Representatives must provide written disclosure regarding outside employment that includes contracts, economic business ventures and/or consulting businesses to the attention of the AMC Secretariat and Grand Chief Staff.

## **3.0 BENEFITS & HONORARIUM**

### **3.1. Benefits**

All AMC Representatives must report to the AMC all benefits, whether financial or in-kind, that they are offered or provided in the course of their exercise of AMC duties.

## **4.0 LEAVE**

### **4.1. Allowance**

All AMC Representatives may take leave from their position for up to 30 days, unless expressly authorized to take a longer leave from the Grand Chief or the AMC Executive Council.

### **4.2. Requirement**

All AMC Representatives are required to take a leave from their position when they are not able to fulfill the obligations of their position, whether due to illness; bereavement, or any reason.

### **4.3. Required Form**

All AMC Representatives must notify the Grand Chief, AMC Secretariat and Executive Council in writing as soon as practicable prior to taking leave of their position.

This notification must include:

- a. The AMC Representative's contact information that may be used to contact the AMC Representative while on leave;
- b. The AMC Representative's next of kin's contact information so that the AMC may contact this person should they not be able to contact the AMC Representative;
- c. The date of the start of the leave;
- d. The expected return date from the leave;
- e. All important dates and deadlines for which the AMC Representative would be responsible for, or expected to attend, or relevant to their position during the leave and for a period of 90 days after the expected return date from the leave;
- f. Contact information for any associate, person, or organization for which the AMC Representative has been working with prior to the leave, or would be expected to work with during the leave and within the 90 days after the expected return date;
- g. A brief status memo for any major or time sensitive issues or projects, or work in progress of the AMC Representative; and,
- h. Any other information that the AMC Representative believes may assist the AMC during their leave.

## **5.0 DISCIPLINARY ACTION**

### **5.1. Disciplinary Procedures – AMC Representatives, excluding the AMC Grand Chief**

The AMC Chiefs-in-Assembly, AMC Executive Council of Chiefs and the AMC Grand Chief will take corrective and / or disciplinary action according to:

- a. the goal and objectives of the AMC whether expressed in resolutions, motions or otherwise;
- b. the performance and conduct of the AMC Representative, including;
  - Verbal abuse or threats;
  - Offensive gestures;
  - Condescension which undermines self-respect;
  - Harassment, including personal harassment which is objectionable conduct, comment or display, usually directed at an individual, that demeans, belittles, or causes personal humiliation or embarrassment; and
  - Abuse of Authority.
- c. the nature of the misconduct and the degree of harm caused to the AMC by the misconduct;
- d. the AMC Representative's response to past attempts at progressive discipline; and/or,
- e. any other circumstances which affect the relationship between the AMC Chiefs-in-Assembly, AMC Executive Council of Chiefs, or the AMC Grand Chief.

### **5.2. Disciplinary and Reprimand**

Cause for immediate termination from the position includes, but not limited to:

- a. serious misconduct or neglect of duty;
- b. insubordination, insolence or deliberate violation of any of the articles in the AMC Constitution or roles and responsibilities of the AMC Representative as mandated by the AMC Chiefs-in-Assembly;
- c. breach of the *Canadian Criminal Code, Controlled Drug and Substance Act, or Food & Drug Act of Canada*;
- d. abandonment of the position;
- e. theft or other dishonesty;
- f. violence against others including any AMC member First Nation Chief or AMC staff; and/or,

- g. deliberate or negligent conduct which embarrasses or otherwise damages the reputation of First Nations in Manitoba.

This section may be applied to terminate an AMC Representative's position, including on a Committee/Council/Board/Entity; however subject to safety concerns, this section shall not be applied to prevent a Chief from attending an AMC Chiefs-in-Assembly.

### **5.3. Record of Discipline**

Where concerns are expressed by the AMC Grand Chief, AMC Executive Council of Chiefs, or the AMC Chiefs-in-Assembly, a meeting will be called; or an addition to an agenda of a duly convened meeting to discuss next steps regarding the AMC Representative's actions. Minutes of the meeting will document the decision of the meeting, severity of the action of the AMC Representative, and what procedure will be followed. These decisions will then be formally provided the AMC Representative in a letter along with the date of the meeting.

### **5.4. Remedies**

When an issue has been identified that the AMC Representative has acted contrary to the AMC Constitution, or this Policy, the AMC may take any of the following measures: a verbal warning; a written warning; suspension with or without pay; and / or a non-confidence vote.

Any remedy or decision is the sole discretion of the AMC and is not subject to an appeal of any kind.

### **5.5. Disciplinary Procedures – AMC Grand Chief**

The AMC Chiefs-in-Assembly or AMC Executive Council of Chiefs will take corrective and / or disciplinary action according to:

- a. the goal and objectives of the AMC whether expressed in resolutions, motions or otherwise;
- b. the performance and conduct of the Grand Chief, including;
  - Verbal abuse or threats;
  - Offensive gestures;
  - Condescension which undermines self-respect;
  - Harassment, including personal harassment which is objectionable conduct, comment or display, usually directed at an individual, that demeans, belittles, or causes personal humiliation or embarrassment; and
  - Abuse of Authority.
- c. the nature of the misconduct and the degree of harm caused to the AMC by the misconduct;
- d. the Grand Chief's response to past attempts at progressive discipline; and/or,
- e. any other circumstances which affect the relationship between the AMC Chiefs-in-Assembly, Executive Council, or the Grand Chief.

## **5.6. Procedure**

Where concerns are expressed by Executive Council of Chiefs, or the Chiefs-in-Assembly a meeting will be called; or an addition to an agenda of a duly convened meeting to discuss next steps regarding the Grand Chief's actions. Minutes of the meeting will document the decision of the meeting, severity of the action of the Grand Chief, and what procedure will be followed. These decisions will then be formally provided the Grand Chief in a letter along with the date of the meeting.

## **5.7. Remedies**

When an issue has been identified that the Grand Chief has acted contrary to the AMC Constitution, or this Policy, the AMC may take any of the following measures: a verbal warning; a written warning; suspension with or without pay; and / or removal as set out in item 6.8.

Any remedy or decision is the sole discretion of the AMC and is not subject to an appeal of any kind.

## **5.8. Removal of Grand Chief – Article 14 AMC Constitution**

Cause for the calling of Special Assembly for the purpose of a vote on the removal of the Grand Chief, pursuant to Article 14(5) of the AMC Constitution, include but are not limited to:

- a. serious misconduct or neglect of duty;
- b. deliberate violation of any of the articles in the AMC Constitution or roles and responsibilities of the Grand Chief as mandated by the AMC Chiefs-in-Assembly;
- c. breach of the *Canadian Criminal Code, Controlled Drug and Substance Act, or Food & Drug Act of Canada*;
- d. abandonment of the position;
- e. theft or other dishonesty;
- f. violence against others including any AMC member First Nation Chief or AMC staff; and/or,
- g. deliberate or negligent conduct which embarrasses or otherwise damages the reputation of First Nations in Manitoba.

The removal procedure shall be conducted pursuant to Article 14 of the AMC Constitution.

## **6.0 RESPECTFUL ATMOSPHERE POLICY**

### **6.1. Harassment**

Harassment means any improper behavior by a person employed by the AMC, or associated in an official capacity with the AMC (including and in particular AMC Representatives), which is directed at and offensive to any other employee; person associated in an official capacity with the AMC; or public, which that person knew or reasonably should have known would be unwelcome or offensive.

It is objectionable conduct, comment or display made on either a one time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment to an employee or person.

Examples of harassing behavior are as follows:

- Unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, age, marital status, ethnic or national origin, religion, gender, sexuality, etc.;
- Physical touching;
- Unwelcome sexual advances;
- Displaying or distributing racist, pornographic and other offensive material;
- Practical jokes based on sex or race or other grounds that cause embarrassment;
- Unwelcome invitations or requests, particularly if they are based on intimidation;
- Verbal abuse or threats;
- Offensive gestures;
- Condescension which undermines self respect; and/or,
- Physical assault.

## **6.2. Prohibited Grounds**

This policy includes applies to all prohibited grounds for discrimination, which include:

- Race;
- National or ethnic origin;
- Colour;
- Religion;
- Age;
- Sex (gender), including pregnancy and childbirth;
- Sexual orientation;
- Marital or family status;
- Pardoned conviction;
- Political belief or association; and/or,
- Physical or mental disability (including dependence of alcohol or drugs).

## **6.3. Personal Harassment**

Personal harassment is objectionable conduct, comment or display, usually directed at a co-worker or person, that demeans, belittles, or causes personal humiliation or embarrassment to an employee or person. It is harassment of an individual which is not based on a prohibited ground set out in item 7.2, as described above.

## **6.4. Abuse of Authority**

Abuse of Authority is a form of harassment when a person in authority improperly uses the power of his/her position to endanger an employee's job, undermine the performance of that job, threaten the economic livelihood of the employee, in any way inappropriately interfere with the career of the employee.

It includes intimidation, threats, blackmail or coercion. Abuse of authority also includes favouritism of one employee to the disadvantage of another.

It does not include the exercise of legitimate management functions such as organizing or reorganizing work, objectively evaluating performance or taking justifiable disciplinary action.

## **7.0 RESPONSIBILITY**

All AMC Representatives can contribute to promoting a respectful atmosphere which is free from harassment. AMC Representatives can:

- demonstrate respect in their dealings with other others;
- intervene if they feel it is appropriate and they feel they are able to resolve a situation before it becomes more serious if a AMC Representative observes a situation of potential harassment;
- act as a role model for others in demonstrating respect;
- initiate corrective action without requiring a complaint when a situation of potential harassment is observed or is believed to be taking place;
- inform others of the AMC respectful atmospheres policies for an harassment free atmosphere; and/or,
- inform others of procedures for handling workplace harassment complaints.

## **8.0 PROCEDURES**

### **8.1. Early Intervention**

Where an AMC Representative observes a situation which could be perceived as harassment, they can attempt to intervene, whenever possible; however they are required to notify the AMC Grand Chief and AMC Secretariat.

If the AMC Grand Chief and/or the AMC Secretariat decide the situation has not resolved and/or requires their attention; the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives) shall take immediate action to deal with the harassment. This may involve one or more of the following, depending on the circumstances:

- informal resolution process by the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives) which is agreeable to the principals;
- informal resolution process by an Elder or other appropriate individual that is agreeable to the principals;
- mediation by an outside, trained mediator that is agreeable to the principles;
- an investigation initiated by the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives); and/or,
- a written complaint from the complainant, followed by an investigation.

If the situation can be resolved by one of the first three (3) options, and the resolution is acceptable to both principals, a formal investigation will not be done.

The AMC Grand Chief and/or the AMC Secretariat may designate the AMC Director or Human Resources, or a third party to act as their designated representative in the section.

## **8.2. Formal Investigation**

Notwithstanding the resolution process an employee or person has a right to request an investigation into an alleged incident(s). This may involve one or more of the following, depending on the circumstances:

- A formal investigation can be initiated by the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives) in their role to maintain a harassment free atmosphere, by the complainant, by the respondent, or by a third party to the harassment.
- The complaint shall be made in writing and should describe the nature, time and frequency of the offensive behavior.
- The written complaint shall be given directly to the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), whom will immediately initiate an investigation.
- If the alleged harassment is based on actions of the AMC Grand Chief the complaint will be directed to the Executive Council of Chiefs for action.
- When a formal complaint is made, the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will make every effort to minimize the necessary contact between the principals during the process of the investigation.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will ensure that the respondent is immediately informed of the nature of the complainant and has a reasonable opportunity to respond.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will maintain confidentiality and will advise others and the investigators of the importance of maintaining confidentiality regarding the nature of the complaint, for the protection of all parties.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will require that the investigation is completed in a timely manner and a written report of findings is prepared.
- Following a written report on the findings of the investigation, the AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will determine the corrective action that will be taken. Action may include disciplinary action, up to and including termination from an AMC position.
- The AMC Grand Chief and/or the AMC Secretariat (or their designated representatives), will inform the complainant of the corrective action taken.



## **9.0 RIGHTS AND RESPONSIBILITIES**

### **9.1. Complainants' Rights**

Complainants have the right to:

- file a written complaint and to obtain a review without fear of embarrassment or reprisal;
- be accompanied by a person of their choice during the investigation interviews;
- obtain information about outcome of the review of their complaint. To be informed of the corrective action taken; and,
- have details of a complaint remain confidential.

### **9.2. Complainants' Responsibilities**

Complainants have the responsibility to:

- make their disapproval or unease about a person's actions known to that person if possible. The complainant, however, is not required to initiate corrective action before filing a complaint if they do not feel comfortable in confronting the individual;
- cooperate with those responsible to resolve or investigate the complaint;
- meaningfully participate with the investigation or remediation measures;
- allow the AMC time to conduct an investigation if required;
- keep the complaint and/or investigation confidential until such time as the complaint is determined to be valid and disciplinary action taken, subject to any immediate dangers of harm or safety; so that the integrity of the investigation may be maintained; and,
- immediately advise the AMC of any other complaints or investigations which may be relevant (ex. criminal investigations, regulatory investigations, other complaints, etc).

### **9.3. Respondent's Rights**

Respondents have the right to:

- be informed immediately that a complaint has been filed against them;
- be provided with a written statement of the allegations and given an opportunity to respond to them;
- be accompanied by a person of their choice during any investigation interviews with them related to the complaint;
- have details of a complaint remain confidential; and
- be assured that any written complaint or comments related to the fact that a person initiated a complaint will not be made public, until such time as the complaint is determined to be valid and disciplinary action taken and with the express permission of the complainant.

#### **9.4. Respondent's Responsibilities**

Respondents have the responsibility to:

- cooperate with those responsible for investigating or reviewing the complaint;
- cease any and all contact with the complainant during the course of the investigation;
- take all remedial steps that are directed where disciplinary action is warranted; and,
- maintain the privacy of the complainant.