

TFA Representation Protocol for Member on Member Complaints

Purpose

Addressing workplace complaints, including conducting investigations and making determinations, is the responsibility of the employer. The union does not investigate or adjudicate workplace complaints. This protocol sets out how the union will respond and provide representation when a member files a workplace complaint against another member. Its aim is to ensure:

- Fair and impartial support for all parties.
- Clear boundaries regarding the union's representational role.
- Processes consistent with the TFA bylaws, Collective Agreement, and Labour Law.

Guiding Principles

Commitment to Fair Representation: The union is committed to representing all members fairly, in good faith, and without discrimination.

Separation of Roles: A single union representative will not represent both parties. Different representatives will be assigned to the complainant and the respondent with clear firewalls in place.

Impartial Representation The union supports members through the employer's process, without taking sides on the merits of the complaint.

Confidentiality: Information shared by members will be treated with discretion and only used for representational purposes.

Process

1. When a member files a workplace complaint, or has a complaint filed against them, or is a witness in a University workplace investigation, they have a right to contact the TFA and have a union representative appointed to support them through the process. The TFA will not draft or assist in the drafting of complaints.
2. Representation provided by the TFA is not mandatory and only arranged when the member requests it.
3. In cases of member-on-member complaint, separate representatives will be assigned to the complainant, the respondent and the witnesses (if any).
4. There will be safeguards in place to ensure that information from the complainant and respondent remain confidential and representatives of either party are not privy to the information from the other.

5. Notwithstanding point 4, representatives may on a need-to-know basis share information within the TFA office (Staff and Executives), keeping in mind any matters of conflict of interest, in order to consult, seek advice or report issues.
6. The role of the TFA representatives is to provide advice to the members regarding processes and their rights in the workplace, accompany them to meetings, ensure due process is upheld during the complaint process, and notify the union to take action if a breach of the collective agreement or policies occurs.

Related Document: [TFA Representation Decisions and Appeals Policy](#)