

Restorative Workplace Investigations – Summary

Restorative Solutions: responding wisely to conflict

Too often conventional workplace investigations, which focus on determining facts and assigning blame, harm the workplace, and whatever the findings, leave everyone feeling worse. A restorative investigation is an alternative that is more satisfying to those directly involved, benefits the workplace community as a whole, and meets the process requirements of WorkSafe BC. Restorative investigations focus on restoring respectful workplace relationships and increasing organizational capacity to manage workplace conflict constructively.

Restorative Investigations will vary in length and complexity depending on the nature of the conflict and the size of the workplace. They always start, and often end, with a short and immediate assessment that meets WorkSafe BC requirements for an investigation. The Investigator interviews those directly involved in the dispute, giving them an opportunity to be heard, and meets with anyone else necessary to understand the nature of the conflict. In consultation with all concerned, the Investigator recommends what needs to be done to restore the workplace. This could include conflict coaching, referral to a manager for action, facilitated conversations, mediation, or possibly, conventional investigations. **Only if the complaint is serious and complex - in terms of causes, affected parties and solutions - will the Investigator recommend an extended restorative investigation, the central element of which is the restorative circle.**

Participants in the restorative circle will always include the primary parties to the conflict, and may include their support persons, union and human resource representatives, and others identified as helpful to understanding the conflict and restoring the workplace. The Investigator prepares participants for the circle process, and when the restorative circle is convened, puts the following questions to it: What happened? What effect did it have? What circumstances or factors contributed to the dispute? What needs to be done to heal broken relationships, restore the workplace and prevent similar disputes in the future?

The Investigator drafts a report reflecting the collective wisdom of the circle, including a common narrative of what happened, where perspectives differ, insights emerging from the circle about underlying causes, and recommended preventative and restorative actions. At an appropriate later date, the restorative circle is reconvened to check in on whether the workplace has been restored or more needs to be done.