

ADMINISTRATIVE POLICY

Policy No.: A-07-22

Policy Name: RESPECTFUL WORKPLACE

Effective Date: January 3, 2024

Next review: January 2025

Purpose: The Regional District of Fraser-Fort George (Regional District) is committed to the health, safety and wellbeing of employees and volunteers including the provision of a safe, respectful and productive workplace. This commitment extends to providing a workplace free of bullying, discrimination, harassment, and sexual harassment and that such behaviour will not be tolerated in a Regional District workplace.

The purpose of this Policy is to create a workplace in which:

- bullying, discrimination, harassment and sexual harassment are known to be unacceptable;
- there are clear expectations and support for employees and volunteers to contribute to a respectful workplace;
- a process is provided for employees, volunteers, and elected officials to report incidents; and
- a process is provided for the employer to investigate incidents and environments where bullying, discrimination, harassment, and/or sexual harassment is suspected or occurring.

Scope: This Policy will be adhered to by employees, volunteers and elected officials, that work alongside Regional District employees. This Policy extends to any location at which the business of the Regional District is conducted, including buildings, parks, vehicles, Regional District equipment as well as spaces where Regional District employees are gathered under the auspices of the Regional District. Work related travel, telephone conversations, and online activities such as social media platform messages/comments, chat groups, social networking, text, and email are covered by this Policy. If conduct has workplace impact, or began from a workplace relationship, it may be covered by this Policy.

Authority: *Workers Compensation Act and WorkSafeBC*

Definitions: Bullying and Harassment **means** Worksafe BC defines Bullying and Harassment to include any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause the worker to be humiliated or intimidated but, excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

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Bullying and Harassing behaviour may include:

- verbal aggression, insults or threats including rude, belittling or sarcastic comments
- humiliating action or practices
- spreading false accusations including malicious gossip or rumours
- using derogatory names towards someone
- making personal attacks based on someone's private life or personal traits
- vandalizing or tampering with personal belongings
- practical jokes
- sabotaging someone's work including withholding necessary information or deliberately withholding workflows so that a person cannot carry out their duties
- isolation and/or deliberate exclusion from work related activities including removing areas of responsibility without cause
- cyberbullying – through email, text, and/or public or private social media networks.

It does not include:

- expressing differences of opinion
- poor communication or disagreement between individuals
- making a complaint about an individual's conduct if the complaint is made through appropriate channels and is in good faith
- offering constructive feedback, guidance, or advice about work-related behaviour and performance
- rigid rules consistently applied by a supervisor
- difficult work conditions or changes to the organization; normal exercise of management or supervisory responsibilities including performance reviews, direction, counselling and disciplinary action provided they are conducted in a respectful and professional manner.

Complainant **means** An individual who has brought forward or filed a complaint under this Policy alleging an incident of bullying, discrimination, harassment and/or sexual

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harassment against themselves or another individual.

Discrimination means To treat a person differently because of prohibited grounds found in provincial human rights legislation.

In British Columbia, the human rights legislation protects against discrimination on the grounds of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person.

Elected Official means An individual elected or appointed to the Board of the Regional District or Community Commission and includes those individuals appointed as an alternate director.

Employee means An individual that works for the Regional District and includes bargaining unit members, exempt individuals and members of a volunteer fire/rescue service.

Investigator means An individual who is assigned, designated or hired to investigate an incident of bullying, discrimination, harassment and/or sexual harassment.

Regional District means The Regional District of Fraser-Fort George.

Respondent means An individual who is alleged to have participated in an incident of bullying, discrimination, harassment and/or sexual harassment against another individual.

Sexual Harassment means As defined at law as any conduct of a sexual nature that is known or ought to be known to be unwelcome. Examples of sexual harassment include, but are not limited to:

- unwelcome physical contact or unnecessary touching

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- inappropriate and unwanted sexual flirtations, advances or propositions
- suggestive, vulgar and coarse remarks, comments or jokes, and offensive sexual reference which are derogatory
- sexual innuendoes
- questioning someone about their sex life
- displaying offensive material of a sexual nature.

Target means An individual who has been the focus of inappropriate behaviours as defined in this Policy.

Volunteer means An individual that is appointed by the Regional District to support a Regional District Service and includes committee appointees and emergency support services.

Workplace means Any location (office, work site, vehicle, off-site location etc.) at which employees or volunteers of the Regional District are performing work on behalf of the Regional District or representing the Regional District.

This can include workplaces of other organization's workplaces and events (ie educational seminars, conferences) where the Target is attending as a representative of the Regional District.

Responsibilities: Employees and Volunteers

1. Be knowledgeable of and behave in a manner that contributes to a respectful workplace.
2. Participate in training initiatives.
3. Not engage in bullying, discrimination, harassment or sexual harassment of other workers, supervisors, managers, officers, elected officials or volunteers.
4. Be receptive to open discussions with others about acceptable workplace behavior's including hearing from others where your behaviour may have been considered inappropriate within the context of this Policy.

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5. Report bullying, discrimination, harassment and sexual harassment observed or experienced in the workplace.
6. Participate in investigations and complete all appropriate forms to document any incidents of bullying, discrimination, harassment or sexual harassment.
7. Apply and comply with the employer's policies and procedures on bullying, discrimination, harassment and sexual harassment.
8. Carry out the actions outlined in Appendix "C" attached to this Policy to build a respectful workplace.

- Managers/Supervisors**
- Same as employees and volunteers plus:
 1. Inform and train workers on this Policy.
 2. Ensure bullying, discrimination, harassment and sexual harassment is never endorsed.
 3. Emulate appropriate behaviours for a respectful workplace.
 4. Promote the process of reporting incidents and complaints of bullying, discrimination, harassment and sexual harassment.
 5. Assist in the investigation of any incidents where necessary or required
 6. Carry out the actions outlined in Appendix "B" attached to this Policy to build a respectful workplace.

- Senior Management**
- Same as Managers/Supervisors plus:
 1. Support and endorse the respectful workplace program.
 2. Ensure time and resources are available to conduct training, awareness and investigations towards a respectful workplace.

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Chief Administrative
Officer (CAO)

- Same as Senior Management plus:
- In incidents involving employees and/or non-Board appointed volunteers and where appropriate, in consultation with Human Resources, make determinations on:
 1. Whether or not to proceed with an investigation.
 2. Appointment of an investigator.
 3. Corrective actions to be implemented where an incident of improper behaviour contrary to this Policy is realized.
 4. Carry out the actions outlined in Appendix "B" attached to this Policy to build a respectful workplace.

Elected Officials

1. Not engage in bullying, discrimination, harassment or sexual harassment of other elected officials, workers, supervisors, managers, officers or volunteers of the Regional District.
2. Report bullying, discrimination, harassment and sexual harassment observed or experienced in the workplace.
3. Complete all appropriate forms to document any incidents.
4. Assist in the investigation of any incidents of bullying, discrimination, harassment or sexual harassment where necessary or required.

Chair and Vice-Chair

- Same as Elected Officials plus:
- In incidents involving Elected Officials, the CAO, employees or Board appointed volunteers and where appropriate, in consultation with the CAO or Human Resources, make determinations on:
 1. whether or not to proceed with an investigation;
 2. appointment of an investigator; and
 3. recommendations to the Board regarding corrective actions to be implemented where an incident of improper behaviour contrary to this Policy is realized.

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PROGRAM PROCEDURES

This program includes:

- A. Procedures for reporting incidents of bullying, discrimination, harassment and sexual harassment,
- B. Procedures for investigating incidents of bullying, discrimination, harassment and sexual harassment,
- C. Training,
- D. Record Keeping,
- E. Annual Review,
- F. Retaliation,
- G. Confidentiality,
- H. Consequences of Violations.

A. PROCEDURES FOR REPORTING INCIDENTS OF BULLYING, DISCRIMINATION, HARASSMENT AND SEXUAL HARASSMENT

1. Before reporting an incident, Complainants/Targets are encouraged to discuss their concerns with the person who is allegedly committing the offensive act if they feel comfortable doing so. Making the other person aware he or she is creating discomfort in the work environment may be enough to resolve the situation.

A Complainant/Target may also consider discussing this issue with their department head or with Human Resources for guidance if a behaviour is actually considered a behaviour in contravention of this Policy.

Where the Complainant is not the Target, the Complainant should consider sharing their concerns with Human Resources to determine an appropriate approach to deal with the matter.

2. If such discussions do not resolve the matter, or if a Complainant/Target is uncomfortable approaching a co-worker or other person about their concerns, the Complainant should promptly report verbally and in writing their concerns to their immediate supervisor, manager, department head or Human Resources. The complainant should make their own written record of any incident(s), location, dates, times, and names of persons who may have witnessed the conduct and any action taken to address the incident(s). The Complainant may be asked to provide a written statement with the details of the alleged incidents.

If the individual (immediate supervisor, manager, department head) receiving this report feels comfortable approaching the alleged Respondent who is allegedly committing the offensive act to make them aware of their behaviour this may be enough to resolve the situation. This would be an appropriate action where incidents are minor in nature, a single occurrence or the alleged individual is new to their role.

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Prior to using this approach, the individual can consult with Human Resources to determine if this is an appropriate approach.

Consideration for early intervention measures such as awareness training, counseling or mediated discussions can be considered at this time. This approach would be guided with the support of Human Resources.

3. All formal complaints for incidents must be reported using a *Workplace Bullying and Harassment Incident Report Form* (Appendix "A" attached to this Policy).
4. Where the supervisor is the alleged Complainant, the department head or, if required, Human Resources or the CAO will assist in receiving/following up on incidents/reports.
5. Where the CAO is the alleged Respondent, the Chair and Vice-Chair will assist in receiving/following up on incidents/reports.

5.1 Under this circumstance the Chair and Vice-Chair may request assistance from Human Resources.

6. Should an elected official be the alleged Respondent, the Chair and Vice-Chair, with the assistance of the CAO, will assist in receiving/following up on incidents/reports.
7. Should a volunteer be the alleged Respondent, the department head, or Human Resources will assist in receiving/following up on incidents/reports.

B. PROCEDURES FOR INVESTIGATING INCIDENTS OF BULLYING, DISCRIMINATION, HARASSMENT AND SEXUAL HARASSMENT

The process for investigating incidents and complaints will:

- be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances,
- be fair and impartial, providing both the Complainant and the Respondent equal treatment in evaluating the allegations,
- be sensitive to the interests of all parties involved and maintain confidentiality including maintaining any documentation in accordance with the *Freedom of Information and Protection of Privacy Act* and Employee Confidentiality Expectations Policy A-4-20.
- be focused on finding facts and evidence, including interviews of the Complainant, target, Respondent, and any witnesses,
- incorporate, where appropriate, the needs or requests from the Complainant, target or Respondent for assistance during the investigation process.

1. Investigator Selection

1.1 By default, investigations at the Regional District will be conducted internally. Depending on the situation, the department head, Human Resources, or other designate will be the lead investigator.

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1.2 In an incident involving an Elected Official the Chair and Vice-Chair with the assistance of the CAO will lead the investigation.

1.3 In complex or sensitive situations, an external investigator may be hired.

2. Incident Review

2.1 Investigations will include interviews with the Complainant, alleged Target and the alleged Respondent and reviewing any evidence provided in respect of the alleged incident. The Investigator will determine if there is a need to interview witnesses.

2.2 Where the alleged Target and the alleged Respondent agree on what happened and the Investigator concludes they have sufficient information then the Investigator can consider concluding their work without further investigation.

2.3 The Investigator will provide a written report to Human Resources and the CAO regarding their findings as to whether an incident of behaviour contrary to this Policy is found or not.

Where the alleged Respondent is an Elected Official, the written report will be provided to the Chair and Vice-Chair.

3. Follow Up

3.1 Based on the conclusions in the Investigator's report the Regional District will then determine what follow up or corrective action, if any, is warranted.

3.2 All investigations of alleged bullying, discrimination, harassment and sexual harassment will be followed up and documented. Details of the investigation, including any notes, reports and materials will remain confidential and will be managed in accordance with the Freedom of Information and Protection of Privacy Act, other applicable legislation and Regional District policies.

3.3 The Target and Respondent will be advised of the investigation outcomes only as to whether an incident of a behaviour contrary to this Policy has been determined.

3.4 Where an incident of bullying, discrimination, harassment and/or sexual harassment has been determined follow up measures will include a determination of corrective actions, a time frame of implementation, and a means for dealing with adverse symptoms.

3.4.1 Corrective actions may include:

- a written apology to the Complainant. To be effective, an apology needs to be sincere and done of one's own volition,
- training and counselling,
- increased supervision,
- mediation,
- oral reprimand (copy placed in employee file),
- written reprimand (copy placed in employee file),

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- reassignment to a different position,
- suspension without pay for a period of time,
- demotion,
- suspension with or without pay pending approval of discharge,
- termination of employment,
- a combination of the above, appropriate to the circumstances.

C. TRAINING

- 1.1 All Employees will be advised and educated on this Policy and program when they are hired, through the new employee orientation process. Training will include review of this Policy as well as participation in an online training module regarding respectful workplaces.
- 1.2 Elected Officials will receive training on this Policy at the beginning of their term as a component of the orientation program.
- 1.3 Volunteers will receive the Policy as a part of an orientation package.
- 1.4 Training for employees, supervisors, managers, and elected officials will include the following:
 - how to recognize bullying, discrimination, harassment and sexual harassment,
 - how individuals who experience or witness bullying, discrimination and harassment and sexual harassment should respond,
 - procedures for reporting, and how the employer follows up with incidents or complaints.
- 1.5 The Regional District will offer refresher training on a regular basis or sooner where there is evidence of inappropriate behaviour.

D. RECORD KEEPING

1. The Regional District will manage all records pertaining to investigations and findings in a secure and confidential manner in accordance with the *Freedom of Information and Protection of Privacy Act* and the Corporate Records Management Program. Should an individual not wish to complete an incident report form, the person receiving the complaint will diarize the details of the incident and submit to Human Resources for future reference as required. To confirm, no formal investigation will be taken if an incident report form has not been completed.

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E. ANNUAL REVIEW

1. This Policy and program procedure will be reviewed annually.

F. RETALIATION/INTERFERENCE

1. Employees, volunteers, and elected officials have the right to raise concerns under this Policy without fear of retaliation. Retaliation includes but is not limited to acts of hostility, encouraging hostility by other employees or spreading rumours about the Complainant or Respondent. Any act of interference with an investigation or retaliation against a person who raises a concern under this Policy is expressly forbidden and may result in interim measures such as suspension, or may result in progressive discipline up to and including suspension or dismissal.

G. CONFIDENTIALITY

- 1.1 The Regional District recognizes that some Complainants may find it difficult to come forward with a complaint of bullying, discrimination, harassment or sexual harassment and may wish such matters to remain confidential.
- 1.2 To protect the interests of the alleged Target, the alleged Respondent, Complainants and witnesses, Employees, Elected Officials, Volunteers and Investigators have an obligation to maintain confidentiality throughout and at the conclusion of the investigative process and in accordance with the Employee Confidentiality Expectations Policy A-4-20. Information relating to a complaint will be managed in accordance with the *Freedom of Information and Protection of Privacy Act*, other applicable legislation and Regional District policies.
- 1.3 Information such as statements and written materials, including notes/reports prepared by an Investigator, related to the investigation of the complaint under this Policy will not be shared with others except as required by law, such as in the area of child abuse, subpoena, or perceived risk to others. All such information will be treated as confidential and will be managed in accordance with the *Freedom of Information and Protection of Privacy Act*, other applicable legislation and Regional District policies. Any allegation or formal complaint of bullying, discrimination, harassment or sexual harassment under this Policy will be considered personal information "supplied in confidence" for the purpose of Section 22 (2)(f) of the *Freedom of Information and Protection of Privacy Act*. The substance of investigative reports and meetings held by those in authority to make a decision on the disposition of the complaint will be protected from disclosure to third parties in accordance with, but not limited to, Section 22 (2)(f) and Section 22 (2)(h).

H. CONSEQUENCES OF VIOLATIONS

Any employee or non-Board appointed volunteers who violates or misuses this Policy by making a false allegation in bad faith or tries to impede an investigation or discloses confidential information will be subject to appropriate disciplinary action up to and including termination.

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Elected officials and those volunteers appointed by the Board who engage in conduct in violation of this Policy are subject to potential censure and sanctions as determined by the Regional Board.

Authorized by:

" Chris Calder "

Chris Calder
Chief Administrative Officer

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Appendix A – Respectful Workplace Bullying and Harassment Incident Report Form

Respectful Workplace – Formal Complaint Form

You have decided to file a formal complaint under the Regional District of Fraser-Fort George's Respectful Workplace Policy. The following information is required in order to help in the resolution of your complaint. Once the form has been filled out, please make sure you sign and date it and submit it to the Human Resources Manager by one of the following means below:

1. Email: hr@rdffg.bc.ca
2. Via original form dropped off in Human Resources inbox in a sealed envelope (please mark as CONFIDENTIAL)

The personal information collected on this form is collected pursuant to Section 26 of the Freedom of Information and Protection of Privacy Act. Any questions pertaining to this collection may be directed to Maureen Connelly, GM of Legislative and Corporate Services maureen.connelly@rdffg.bc.ca or 250-960-4400.

Complainant Information

Complainant's Name: Home phone # _____

Complainant's Position: Work phone # _____

Complainant's Work Location: Email: _____

Respondent Information

Who is the complaint filed against? (The 'Respondent')

Name: _____

Respondent's Position and work location: _____

Respondent's Relationship to you through the RDFFG: _____

At which work area/sites did the incident(s) you are reporting happen?

Witnesses:

Witness Name/Contact: _____

Witness Name/Contact: _____

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Please name any relevant witnesses and witness contact information. What specifically did the people named as witnesses observe?

Describe what methods you have used to resolve this issue and/or any help/advice you have received regarding this issue prior to filing this complaint.

Resolution

As a resolve to this matter, what would you like to occur:

By signing this complaint form, I hereby authorize the Regional District of Fraser-Fort George to conduct an investigation into my complaint as described in this complaint form and its attachments and to disclose the particulars of my complaint to the respondent, unless it risks my personal safety.

I also confirm my understanding that:

1. The filing of this complaint does not guarantee that an investigation will occur. The complaint will be reviewed and an assessment made by the Regional District of Fraser-Fort George as to whether an investigation is warranted and/or whether an informal resolution process should be pursued.
2. All information regarding this complaint is to be treated in confidence and that I will only disclose this information on a “need to know” basis to an Employer representative (or designate). Breaches of confidentiality regarding this complaint, investigations, resolution process may result in disciplinary action.
3. Any retaliation as a result of this complaint will not be accepted and will result in disciplinary action.

Name: _____

Signature: _____

Date: _____

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Appendix B - Building a Respectful Workplace:

Checklist for Supervisors and Managers

Supervisors and Managers at the Regional District contribute to a respectful workplace by engaging in the actions listed below. These actions ensure the Regional District remains a safe, respectful and productive workplace free from bullying, discrimination, harassment and sexual harassment.

- I communicate to my staff about expected workplace behaviours and their responsibilities under the Respectful Workplace Policy. My employees are aware of options for reporting and resolving respectful workplace issues.
- I lead by example by modelling appropriate behaviours in the workplace, such as demonstrating the Regional District Strategic Priorities Values, abiding by the professional standards and conduct and treating others with respect.
- I am a leader in building an inclusive and diverse workplace.
- I promote a safe and trusting environment through regular communication with my employees.
- I consciously work to ensure my employees feel comfortable bringing work related problems to my attention.
- My management decisions are based on operational needs and are consistent with the Regional District's values, policies and procedures.
- I acknowledge the efforts of my employees and provide constructive feedback in a respectful manner.
- I address minor uncivil or disrespectful behaviours occurring in the workplace, because I know doing so can prevent larger issues from occurring.
- I act immediately if I suspect or become aware of potential bullying, discrimination, harassment and sexual harassment behaviour and I understand it is my responsibility to ensure the issue is appropriately resolved whether it be through an informal resolution or formal complaint.
- I seek appropriate assistance from Human Resources if I am unsure how best to address a respectful workplace issue.
- I protect confidentiality and I am fair and impartial in resolving workplace disputes.
- I encourage my employees to address respectful workplace issues informally, where safe and appropriate to do so.

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Appendix C - Building a Respectful Workplace:

Checklist for Employees

Regional District employees, volunteers and elected officials can contribute to a respectful workplace by engaging in the actions listed below. These actions ensure the Regional District remains a safe, respectful and productive workplace free from bullying, discrimination, harassment and sexual harassment.

- I understand and adhere to the Respectful Workplace Policy and make every effort to contribute to a positive workplace.
- I treat others with respect and dignity.
- I demonstrate a commitment to Regional District corporate values, including a commitment to integrity.
- I actively support diversity and inclusion in the workplace.
- I give others the space to express their opinions and ideas and I do my best not to speak over or interrupt others in conversation.
- I provide constructive work-related feedback, but do not unnecessarily criticize my co-workers.
- I treat others as I would like to be treated.
- I avoid insulting, belittling, humiliating or patronizing others.
- I do not refer to individuals by offensive nicknames.
- I do not yell, shout or swear at my co-workers.
- I avoid body language or behaviours that could be perceived as intimidating, such as leaning or standing over others in a way that makes them uncomfortable.
- I contribute to the success my co-workers in their jobs and do not purposely undermine them.
- I make reasonable effort to include relevant co-workers in meetings, discussions and events. I do not exclude those who should be involved.
- I understand supervisors are entitled to manage their employees, provided they exercise their authority legitimately and respectfully.
- I do not confuse legitimate supervisory actions with bullying and harassment.
- I do not treat people differently because of their personal characteristics, such as race, age, religion, physical disability, sexual orientation, etc.
- I do not spread rumors or gossip in the workplace
- I avoid language that reflects stereotyped or discriminatory views of particular people or groups.
- If I witness or experience what appears to be bullying, discrimination, harassment and sexual harassment, I take action to address the issue per the Respectful Workplace Policy. I attempt to resolve such issues informally, when safe and appropriate to do so.

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