

Respect in the Workplace Policy



Purpose

The purpose of this policy is to support a work environment in which every person is treated with respect and dignity.

The policy is a key vehicle in moving Britannia towards an aspirational vision of a diverse workplace where:

- People are knowledgeable about, and attentive to the rights and needs of others, and actively participate in creating a culture of care.
- When, despite the above, harm happens in interaction, there is widespread capacity in the workplace to assist with repair, restoration of relationships and transformation of root causes; and
- Processes used to address harm are attentive to the rights and needs of all involved, and strive for fairness, timeliness, and care for the parties.

This policy:

- reflects the Britannia Community Services Centre Society (Britannia) values of responsiveness, excellence, fairness, integrity, leadership and learning;
- establishes expectations for behaviours that create and promote a respectful and harassment-free workplace;
- defines unacceptable behaviours; and
- outlines Britannia's responsibility as an employer to take all reasonable steps to promote respect, and prevent where possible, or otherwise investigate complaints of harassment.

Scope

This policy:

- applies to all Britannia and Seconded Parks Board employees.
- describes expectations in situations where employees engage in behaviours towards, or are subject to behaviours by, any persons including employees, volunteers, contractors, Board members, community partners, and members of the public.
- Applies to behaviours in all Britannia workplaces, including:
 - Britannia buildings, facilities, sites, offices, and remote work locations
 - work related events
 - online meetings, phone calls, emails, text messages, and social media channels connected with Britannia business; and/or
 - any other physical or digital space where Britannia business is conducted.

This policy does not apply to appropriate workplace interactions such as:

- welcome, consensual relationships or social invitations;
- conduct that a reasonable person would find welcome or neutral having regard to all circumstances;
- exercise of Britannia's right to direct the workforce, such as supervising employees, managing attendance, giving performance feedback, coaching, investigation, and discipline;
- delivering information that a person finds unpleasant;
- enforcement of Britannia policies that a person may disagree with;
- raising a concern about another's behaviour, under this policy;

- raising a concern about Britannia policies and practices using appropriate channels; and
- disagreement, conflict, or critique when conducted respectfully.

DEFINITIONS

Employee: Anyone employed by the Britannia Community Services Centre Society or the Vancouver Parks Board and are Seconded to Britannia. This includes full-time, part-time, temporary, auxiliary or casual employees, unionized or exempt.

Supervisory Staff: Employees who lead, instruct, direct, and supervise other employees.

Good Faith: Based on reasonable belief/grounds, and not made with malicious intent, self-interest and/or in support of a political agenda.

Harassment: Any conduct or comment by a person that the person knew or reasonably ought to have known would cause another person to be humiliated or intimidated and have a demonstrable negative impact on the workplace or individual.

It also includes harassment connected to the protected grounds under the Human Rights Code (i.e. based on Indigenous identity, race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, gender identity or expression, political belief, and conviction of a criminal or summary conviction offence unrelated to their employment).

Harassment may:

- consist of a single serious incident, though it is typically defined by repetition and persistence of inappropriate behaviours;
- be written, verbal, non-verbal, in-person or online;
- be directed towards one employee or a group of employees; and
- be intentional or unintentional, although intention is relevant in assessing the severity of any wrong-doing.

Not every unpleasant interaction in the workplace amounts to harassment. Some examples of harassment include:

- abusive or threatening language, including profanity directed at another person;
- displaying or distributing derogatory or offensive pictures, graffiti or other materials;
- bullying, ridicule or humiliation;
- malicious rumours and gossip;
- shunning or malicious exclusion;
- interference with or vandalizing personal property;
- unjustifiable and deliberate interference with another's work or work sabotage;
- misuse or abuse of power or authority, including decisions based on factors unrelated to work;
- offensive comments, remarks, jokes, slurs or innuendo that belittle or ridicule a person's membership or perceived membership related to the BC Human Rights Code prohibited grounds;
- refusing to interact or communicate with someone because of their race, gender identity, ability, sexual orientation or other personal characteristic;

- imitating or mocking a person's accent, speech or mannerisms;
- unwanted or unwelcome sexual advances, requests, comments, or physical contact;
- negative consequences for refusing sexual advances, or promises of reward for agreeing to sexual advances;
- retaliation.

Complainant: The individual alleging that they have experienced harassment.

Respondent: The individual alleged to have engaged in harassment.

Witness: An individual who has observed harassment or may have information that helps establish or refute an allegation of harassment.

Investigation: The formal process of fact-finding, examination of evidence, and analysis by an investigator appointed by Britannia. Investigation is the primary path by which Britannia determines if a breach of this policy has taken place, and through which corrective action and discipline may be imposed.

Restoration: Refers to a range of processes that engage effected parties to focus on understanding harm and its root causes, repairing relationships, determining meaningful accountability, and may include putting in place agreements or structural changes that reduce the likelihood of harm occurring again in the future.

POLICY STATEMENTS

1. General

1.1. The Britannia Community Centre is committed to taking all responsible steps to provide and maintain a Respectful Workplace.

1.2. A Respectful Workplace is a work environment where people:

- treat each other with respect and are treated with respect;
- welcome and include those with diverse backgrounds, identities and lived experiences,
- uphold human rights based on race, Indigeneity, colour, ancestry, place of origin, political belief, religion, marital or family status, ability, gender identity or expression, sex, sexual orientation, or age;
- continue to learn about equity, diversity and inclusion and choose behaviours to reduce negative impact on others; and
- resolve conflicts constructively and take responsibility for effective workplace relationships

1.3. Harassment is harmful to creating a Respectful Workplace. Harassment is unacceptable and is not tolerated at Britannia.

1.4. Allegations of harassment against Britannia or Seconded Parks Board Employees are typically addressed through an investigation, and may be addressed through a restoration process if both complainant and respondent are willing to participate.

- 1.5. Britannia employees found to have engaged in harassment may face corrective action (such as mandatory training or coaching) or discipline (such as a warning letter, temporary suspension without pay, or other) up to and including termination of employment.
- 1.6. There are other behaviours that do not on their own rise to the level of harassment, but they lead to a person feeling disrespected or uncomfortable. Examples include one-off incidents of careless or rude comments, unintentional stereotyping, interrupting or failing to acknowledge someone.

Given the diversity of the workplace, and the existence of multiple cultural norms governing behaviours, and understanding of what makes another person feel disrespected or uncomfortable may not be shared.

When a person feels disrespected or uncomfortable in the workplace as a result of another's action, their first step may be to address the issue directly with the other party. When that is not possible, the person is entitled to raise the concern and request support from their supervisor, the Manager of Administrative Services, or the Executive Director. Typically, incidents that do not rise to the level of harassment are addressed using restoration processes or other informal remedies.

2. Roles and Responsibilities

All employees are responsible for:

- reviewing and understanding this policy;
- applying and complying with this policy;
- modelling, promoting and engaging in Respectful Workplace behaviours and practices;
- not engaging in harassment towards others;
- reporting harassment observed or experienced in the workplace;
- taking personal responsibility to maintain respectful working relationships and constructively resolve conflicts;
- learning from mistakes and adjusting behaviours to help everyone feel respected and comfortable in the workplace;
- participating in restoration and investigation processes in good faith and as required; and
- abiding by the expectations for confidentiality and avoiding retaliation as outlined in this policy.

The following individual and groups have additional responsibilities in administering, implementing, and monitoring the policy and carrying out restoration and investigation processes.

Supervisory Staff are responsible for:

- modelling respectful behaviour and continuous learning;
- participating in training and/or other learning opportunities on how to conduct investigations and assist in restoration processes;
- providing employees with information about expectations of behaviours under this policy;
- monitoring the workplace for incidents of harassment;
- addressing conflicts promptly;

- bringing requests for restoration processes to the Manager of Administrative Services or Executive Director, and assisting with or participating in restoration processes as needed;
- recognizing and addressing retaliation;
- listening intently when a person has felt disrespected or uncomfortable, and working with relevant parties to restore an environment of respect and minimize discomfort in interpersonal interactions;
- implementing remedies and corrective actions as appropriate; and
- where possible, taking steps to restore positive working relationships.

The Manager of Administrative Services and/or the Executive Director are responsible for:

- designing and conducting restoration processes, assisting supervisors in facilitating restoration processes, or recommending external resources to lead restoration processes;
- helping to educate employees on equity-informed approaches to establishing and maintaining a Respectful Workplace;
- providing employees information on options for addressing harassment;
- providing advisory support to supervisory staff on equity informed options for addressing harm caused by workplace interactions.
- conducting investigations, or assisting supervisors in conducting investigations, or appointing an external resource to conduct investigations;
- providing education, coaching and support for employees, including supervisory staff, on preventing and addressing harassment;
- working with appropriate supervisory staff to determine corrective actions;
- supporting measures to prevent retaliation against employees that raise concerns about harassment;
- supporting measures to restore positive working relationships and a Respectful Workplace environment;
- conducting the review and revision of the Respect in the Workplace Policy
- report to the Britannia Board of Management any and all harassment complaints filed related to Britannia

3. **Malicious Complaints**

It is a violation of the policy to make a malicious allegation of harassment. Where Britannia determines this occurred, appropriate corrective action and/or disciplinary action may be taken up to and including termination of employment.

Making an allegation of harassment may be considered malicious when:

- It is not filed in good faith and intended to harass the person named as respondent; and/or
- It is known to be false, untrue, contrived or calculated to deceive.

A misunderstanding, misinterpretation or unsubstantiated complaint does not constitute a violation of this policy.

4. **Retaliation**

Retaliation means any adverse action or threat of action directed at a person because they are or might be involved in making an allegation of harassment under this policy. It is a violation of this policy to retaliate against another person for:

- filing a complaint in good faith;
- reporting possible harassment one observes or becomes aware of in good faith;
- participating in an investigation or a restoration process;
- supporting someone to file a complaint; and/or
- carrying out their responsibilities under this policy.

An employee who experiences retaliation can file a complaint under this policy.

Where Britannia determines retaliation occurred, appropriate corrective action and/or disciplinary action may be taken, up to and including termination of employment.

Exercising Britannia's right to direct the workforce in good faith does not constitute retaliation.

5. Confidentiality

Confidentiality in investigation and restoration processes is critical to maintaining their integrity as well as fostering a respectful workplace. Sharing of information among parties to an investigation, including conversation among witnesses, can compromise the ability of the investigator to conduct accurate and rigorous fact finding, and can seriously undermine the interests of the parties involved. Confidentiality extends to all information provided orally or in writing, meetings, interviews, investigation result and summary reports.

Everyone involved in an investigation or restoration process has a different role with respect to maintaining confidentiality:

- **Complainants, Respondents and Witnesses** are expected to keep confidential the subject matter of the complaint, the identities of other persons involved in the complaint, and any information they learn through an investigation process. However, this does not prevent them from obtaining advice or support from union representatives and professional advisors, or speaking in confidence with their designated support person(s). Parties to a restoration process are expected to abide by confidentiality agreements constructed for the specific process they are participating in.
- **Supervisors** who carry out an investigation are expected to keep confidential all information collected in the course of an investigation or restoration process and will limit disclosure of such information to that which is necessary to investigate and/or resolve the complaint or for the conduct of legal proceedings.

6. Procedures for Reporting Harassment

Employees who experience harassment from other employees may:

- Address it directly with the other employee
- Reach out for support in exploring issues and options from:
 - Their supervisor or manager
 - The Manager of Administrative Services
 - Their union

- Request a restoration process or other informal remedy
- File a harassment complaint to request an investigation be conducted

Employees who experience harassment by non-employees may:

- Report the harassment to their supervisor/manager or the Manager of Administrative Services

In this case, an investigation will be completed, which may or may not include participation from the respondent, and may result in that individual's suspension from the Britannia site.

Employees who witness harassment are required to report the harassment to their supervisor/manager or Manager of Administrative Services.

Non-Employees, who experience harassment by employees, may make a complaint under Britannia's code of conduct policy.

Through the investigation process, a complainant's identity and the allegations are shared with the respondent in order to address the complaint in accordance with the principles of procedural fairness. If harassment has been reported by a witness, not the complainant, the persons who experienced and witnessed the harassment will not be identified as a "complainant" unless it is necessary to do so. The person who experienced harassment may need to be identified in order to address the allegations or as required by law.

7. Document Retention

Information collected and retained during an investigation process shall be kept in a confidential file separate from any employee's personnel file and shall be maintained by the Manager of Administrative Services. Documentation which outlines disciplinary action shall be placed on an employee's personnel file. Documentation of any outcomes following a restoration process will be shared with the parties involved and those responsible for helping to hold the parties accountable.

Information collected and retained during a restoration or investigation process may be required to be disclosed for example for the purpose of court proceedings, arbitration or other legal proceedings. Personal information shall be protected in accordance with the *Freedom of Information and Protection of Privacy Act*.

8. Collective Agreements and Legislation

In the event that any portion of this policy is inconsistent with a binding Britannia collective agreement or any applicable legislation, that portion and only that portion of the policy shall have no application to the extent of that inconsistency. All other portions of the policy shall continue in full force and effect.

RELATED POLICIES:

Code of Conduct
Whistleblower Policy

APPROVAL HISTORY

Last date of review and approval: 2011/03/01

