

**SUBJECT:** Respectful Workplace Policy

### **PURPOSE**

Britannia's greatest resource is its people. It is essential to our business that staff are provided with, and contribute towards, a respectful workplace where the values of trust, fairness, integrity, consideration and dignity guide our interactions with one another.

Britannia is committed to providing a work environment in which all individuals are treated with mutual respect and dignity. In our diverse and equitable workplace, the City endeavours to ensure all employees have the opportunity to contribute fully to the Britannia mission statement, and that each employee's unique contribution is respected.

While Britannia's "Human Rights and Harassment Policy" addresses harassment as prohibited by the BC Human Rights Code, this policy deals specifically with disrespectful workplace behaviour. Disrespectful behaviour, commonly referred to as "personal harassment," is not covered by human rights legislation.

The focus of this Policy is to ensure a respectful workplace, prevent disrespectful behaviour and outline guidelines to address disrespectful workplace behaviour should it occur.

### **SCOPE**

This policy applies to all Britannia employees.

This Policy applies to the workplace itself, and to work-related events. It includes disrespectful behaviour involving Britannia employees that happens away from the workplace or after regular working hours, where those behaviours have a negative impact on the workplace.

Disrespectful behaviour towards employees by volunteers, members of the public, contractors, Council Officials, advisory body members, Board members and those doing business with the Britannia is also discouraged, and is covered by related Britannia policies.

### **DEFINITIONS**

Respectful Workplace is a work environment where individuals treat each other with respect at all times which includes:

- inclusion of people with different backgrounds, strengths and opinions;
- safety from disrespectful, bullying or intimidating behaviours;
- individual accountability for effective workplace relationships involving the constructive resolution of differences.

**Complainant** means the individual making a complaint that disrespectful behaviour has occurred.

Disrespectful behaviour is behaviour that:

- ought reasonably to be known or expected to be offensive, humiliating or intimidating;
- has a clear and demonstrably negative effect on the complainant;
- includes either words or actions and can consist of a single incident or a number of incidents;

Some examples of disrespectful behaviour as defined under this Policy include, but are not limited to:

- public ridicule or humiliation;
- verbal or written abuse or threats;
- insulting, derogatory or degrading comments, jokes or gestures;
- directing profanity or violent language at another employee;
- unjustifiable or deliberate interference with another's work or work sabotage;
- interference with or vandalizing personal property;
- bullying, which can be defined as offensive, malicious, intimidating, ostracizing, insulting or humiliating behavior.

Some examples of conduct that are not considered disrespectful behaviour under this Policy include, but are not limited to:

- welcome, mutually consensual relationships or social invitations that do not involve inappropriate or offensive behaviours, intimidation, explicit or implicit threat of retaliation, or misuse of power;
- conduct that a reasonable person would find welcome or neutral;
- exercise of Britannia's right to direct the workforce, including all aspects of supervising and managing such as giving appropriate and legitimate performance feedback, managing employee attendance, coaching, and discipline;
- disagreements or misunderstandings;
- conflicts or quarrels between co-workers unless they include disrespectful behaviours as outlined above.

**Respondent** means the individual alleged to have engaged in disrespectful behaviour.

## **POLICY STATEMENTS**

### **1 General**

Britannia employees shall not be subjected to, and shall not subject another individual to, disrespectful behaviour as defined in this Policy.

### **2 Roles and Responsibilities**

#### **2.1 Britannia Centre**

Britannia Centre has the primary responsibility to establish and maintain a respectful workplace as defined in this Policy.

#### **2.2 Human Resources (*this needs to be defined for Britannia*)**

The responsibilities of Human Resources include to:

- ensure a fair, prompt and equitable process is followed;
- champion respectful workplace behaviours and practices;
- protect the privacy and confidentiality of all individuals involved;
- work with Managers to determine corrective action;
- where appropriate, facilitate joint involvement of management, union representatives and other staff to resolve issues.

## **2.3 Supervisory Staff and Managers**

Supervisors, Managers and Department Heads have an essential role in preventing and resolving disrespectful behaviour issues. Managers are responsible not only for their own actions, but also for dealing with the actions of staff under their supervision.

Their primary responsibilities with respect to disrespectful behaviour are to:

- ensure staff is provided with information about and access to policies and procedures related to behaviour expectations;
- model appropriate respectful behaviour;
- monitor the workplace for incidents of disrespectful behaviour;
- intervene promptly and appropriately when they know, or ought reasonably to know, that disrespectful behaviour is occurring;
- work cooperatively with Human Resources to resolve and remedy instances of disrespectful behaviour;
- take steps to restore positive working relationships.

## **2.4 Employees**

All employees are a part of creating a respectful workplace and have a responsibility to refrain from disrespectful behaviours as defined in this Policy, and to:

- act in a professional manner consistent with the standards that support this Policy;
- take personal responsibility to maintain respectful working relationships and constructively resolve conflicts;
- seek out support and assistance if required from their Supervisor, Manager, Human Resources Consultant, Union representative or other resource to effectively resolve workplace conflicts;
- co-operate with, and participate in, any related investigation process as required.

## **3 Complaint Resolution Procedures**

### **3.1 Informal Resolution**

Britannia strives to provide a wide range of options to resolve complaints informally. Informal resolution may include, but is not limited to behavioural guidelines or agreements, apologies or other measures acceptable to both the Complainant and Respondent.

Informal resolution approaches may include:

- Discussing concerns directly with those involved if it is reasonable and safe to do so. Often the easiest way to stop disrespectful behaviour is to let those involved know that certain behaviours are disrespectful, unwelcome and inconsistent with Britannia policy.
- Requesting assistance from an appropriate party to assist in discussing concerns with those involved. An appropriate party could include a Supervisor, Manager, Department Head, Human Resource Consultant or Union representative;

A Human Resources Consultant or Manager may suggest interim measures to be taken during either the informal or formal processes.

### **3.2 Formal Resolution**

If a complaint cannot be resolved informally, a formal complaint may be made in writing by the Complainant to either the Human Resources Consultant supporting the Complainant's department or another Human Resources Consultant not directly involved in supporting the Complainant's department. Employees may seek the assistance of a Human Resources Consultant, Union representative or other colleague they feel comfortable in assisting them in writing a formal complaint.

As all staff have a responsibility in creating a respectful workplace, occurrences of disrespectful behaviour may be reported to Human Resources by another party such as a colleague or Manager.

The formal resolution process is initiated once a written complaint is received. Once a formal written complaint of disrespectful behaviour is made, Human Resources will commence an

investigation if appropriate and may recommend the engagement of an external party in the investigation process.

An investigation may be carried out by the Human Resources Consultant directly, assigned to management in the area affected, assigned to an investigative team, assigned to an independent third-party or re-directed to a more appropriate existing process dependent upon the specific circumstances and seriousness of the allegation.

Formal resolution investigations cannot be carried out anonymously. The identity of the complainant and the allegations contained in the complaint will be made known to the individual(s) alleged to have engaged in disrespectful behaviour and he/she shall be provided an opportunity to respond to the allegations.

At the conclusion of the investigation, the investigator will document his/her findings and any recommendations for the resolution of the disrespectful behaviour. Human Resources will work with management to determine the appropriate action to be taken, communicate the decision to the Complainant and Respondent, identify follow-up actions to ensure the issue has been resolved and provide any additional support deemed necessary for the parties involved.

Should it be found that the disrespectful behaviour constitutes harassment as defined by the BC Human Rights Code, the investigation may involve the Equal Employment Office (EEO) as per the "Human Rights and Harassment Policy."

Concerns about disrespectful behaviour should be raised as soon as reasonably possible to ensure disrespectful behaviour does not go unaddressed. It is recommended that staff bring forward concerns no longer than 6 (six) months from the time of the last alleged incident of disrespectful behaviour, although this does not preclude a complaint being raised at a later date.

### **3.3 False or Malicious Complaints**

If a Complaint is found to be false or brought for malicious purposes, Britannia may take disciplinary measures against the Complainant, up to and including termination of employment. However, a Complaint that is found to be unsubstantiated or based on mistake may not be considered false or malicious.

## **4 Retaliation**

Any form of retaliation or discrimination against an employee because that person initiated a complaint, or because that person acted as a witness or participated in a complaint resolution process will be considered a violation of this Policy. Retaliation may result in discipline up to and including termination of employment.

If an employee believes that they have been subjected to retaliation as set out above, that person may submit a written complaint to their departmental General Manager who will review the complaint with the General Manager, Human Resources, to ensure the allegation is appropriately addressed.

## **5 Consequences of Disrespectful Behaviour**

Engaging in disrespectful behaviours or retaliation may result in disciplinary action up to and including termination of employment. Repeated instances of disrespectful behaviour will be considered as one of the factors in determining the appropriate level of disciplinary action.

Disrespectful behaviour does not need to be intentional although intention may be relevant in assessing the severity of the behaviour.

It is understood that unionized employees may grieve any disciplinary action under the applicable collective agreement.

## **6 Confidentiality**

Information collected and retained by Human Resources during the course of an investigation process is treated as confidential. During the investigation process, Human Resources will limit disclosure of investigation-related information to that which is necessary to resolve the complaint.

Information collected and retained by Human Resources may be required to be released by law including release required in court proceedings, arbitration or other legal proceedings.

## **7 Collective Agreements and Legislation**

In the event that any portion of this Policy is inconsistent with a binding City collective agreement or federal or provincial 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

AE – 028 – 01 Code of Conduct

AE – 028 - 02 Whistleblower Policy

AE – 002 - 05 Human Rights & Harassment Policy

### APPROVAL HISTORY

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City Manager's Office

Approved by:  
Council

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