



PERSONNEL POLICY

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| TITLE: Respectful Workplace Policy | | POLICY #: P-01-2020 |
| Authority: Chief Administrative Officer | Effective Date: May 11, 2020 Review Date: May 11, 2021 | |
| Issued By: CAO Issued Date: May 11, 2020 | Approved By: Council Approved Date: May 11, 2020 Resolution #: R-2020-130 | |

1.0 PURPOSE:

The purposes of the Respectful Workplace policy is:

- to formalize the responsibility and commitment of the Village of Ashcroft to ensure that all employees, elected officials, volunteers, residents, customers and visitors enjoy a workplace and service environment that is free from any form of discrimination or harassment (including sexual harassment).
- to establish that the Village of Ashcroft promotes a work environment in which all employees, elected officials and volunteers are treated with respect and dignity and can contribute to a productive and professional atmosphere.
- To ensure that all employees, elected officials and volunteers understand what is meant by a respectful workplace and know what to do to ensure that a respectful workplace is created and maintained at the Village of Ashcroft.
- To provide processes and procedures to handle complaints and remedy situations when workplace discrimination, harassment or conflict, as defined by this policy, occurs.

Nothing in this Policy should be construed as depriving employees covered under the collective agreement of CUPE Local 900, of their rights under the collective agreement. The intention is for this policy to work in conjunction with any language on discrimination contained in the collective agreement.

2.0 SCOPE:

GENERAL

What is a respectful workplace?

- A respectful workplace is one which is free from discrimination and harassment as prohibited by the *BC Human Rights Code*. Discrimination and harassment are not tolerated at the Village of Ashcroft. All employees, elected officials, volunteers, residents, customers and visitors at the Village of Ashcroft shall have a respectful experience free from discrimination and harassment.

- A respectful workplace is a workplace where each employee, elected official, volunteer, resident, customer and visitor feels comfortable and is treated fairly and civilly by others. All employees, elected officials and volunteers of the Village of Ashcroft are expected to conduct themselves in a friendly, courteous and professional manner. The philosophy which must be shared by employees, elected officials and volunteers of the Village of Ashcroft, is “treat others as you would have them treat you”. Employees and elected officials are expected to consider the feelings and pride of others and to respect their unique backgrounds and contributions.
- A respectful workplace promotes cooperative and collaborative behaviors including healthy group dynamics and proactive problem solving.

Each member of management and each elected official at the Village of Ashcroft will act as a model for all staff and will perform all supervisory duties in a respectful, non-discriminatory way.

In order to foster a respectful workplace, everyone at the Village of Ashcroft must understand that this policy applies to all. Every employee, elected official and volunteer must accept responsibility and accountability to ensure that a discrimination and harassment free work and service environment exists at the Village of Ashcroft.

Our Commitment to Employment Equity

The Village of Ashcroft incorporates the intent of the respectful workplace policy in its hiring practices. The Village of Ashcroft promotes equal access to jobs, promotions, transfers, pay increases, training and development opportunities, and other aspects of employment to all individuals.

The Village of Ashcroft will provide fair and equal opportunities to all employees and prospective employees. The Village of Ashcroft will employ people who are capable of carrying out the work available, regardless of their ethnicity, gender, culture, religion, age or affiliations.

How Do We Define Respectful Communication?

English is the language for communicating about the work of the business. While employees may speak in a language other than English at work, each employee must be aware of how their choice of language is affecting others. If an individual in a group does not understand the language being spoken, he/she may feel excluded and uncomfortable. This is contrary to the spirit of a respectful workplace, which promotes a workplace where employees feel comfortable and included.

What is Discrimination?

Discrimination refers to unfair, differential treatment of individuals or groups and is prohibited by law. Discrimination may be intentional or unintentional and often stems from prejudice and/or stereotypes we have of others. Discrimination can result in one individual or group having an advantage over another. Discrimination can cause an individual or group to be excluded from activities, which they have the right to be included in.

All employees, elected officials and volunteers at the Village of Ashcroft are protected from discrimination in employment by the *BC Human Rights Code* on the following grounds: race, color, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, political belief or unrelated criminal or summary conviction.

All residents and visitors who access the services provided by the Village of Ashcroft are protected from discrimination by the *BC Human Rights Code* on the following grounds: race, color, ancestry, place of origin, religion, marital status, family status physical or mental disability, sex or sexual orientation of that person or class of persons.

What is Harassment?

Harassment is a type of discrimination. It is a serious violation of fundamental human rights. Harassment means engaging in a course of annoying comment or conduct that is known or ought reasonably to be known to be unwelcome, and is tied to a prohibited ground of discrimination. It is behavior which causes distress and serves no legitimate work-related purpose. Harassment attacks a person's dignity, health and well-being. It is an unwarranted comment or conduct that humiliates, intimidates, excludes, isolates and undermines the individual's self-esteem due to membership in a protected group. It can be a single incident (in the case of physical contact) or a pattern of repeated incidents directed against an individual or group. Whether intentional or unintentional, harassment demonstrates a lack of respect for the individuality and the dignity of those it targets.

Harassment behaviour includes, but is not limited to:

1. Physical threats or intimidation
2. Words, gestures, actions or jokes which may humiliate, degrade or abuse
3. Distribution or displaying of offensive pictures or materials, including materials on computers.

What is Sexual Harassment?

Sexual harassment is a type of discrimination under the *BC Human Rights Code*. Sexual harassment is uninvited and unwelcome conduct this is sexual in nature that may detrimentally affect the work or service environment or lead to adverse job related or other consequences for the victim of harassment. The term "sexual harassment" has come to be used to identify those kinds of sexual coercion and exploitation of women and men in a formal or structured relationship in which we have an expectation that the relationship has nothing to do with sex or sexuality.

Sexual harassment behavior includes, but is not limited to:

1. Remarks, jokes, innuendoes or derogatory or demeaning comments regarding someone's body, appearance, physical or sexual characteristics or clothing;
2. Displaying of sexually offensive or derogatory pictures, cartoons or other material;

3. Unwelcome questions or sharing of information regarding a person's sexuality, sexual activity or sexual orientation;
4. Sexual solicitation or advance made by a person in a position to confer, grant, or deny a benefit or advancement to the victim of harassment;
5. **Unwanted** physical contact of any kind.

What is Criminal Harassment?

Criminal harassment may be defined as adverse differential treatment of an individual or individuals which involves assault, damage to personal property or company property, and stalking.

What is a Poisoned Environment?

Harassment can "poison" the work environment for the victim of harassment as well as for others who share the work environment. A "poisoned" work environment is one which is hostile, intimidating or offensive. Comments or actions of a co-worker or a supervisor may create a poisoned environment. This unethical behavior and/or actions make the workplace uncomfortable and can interfere with productivity and interactions of the work group. The poisoned environment forms an unequal term or condition of employment and is therefore a violation of the right to be free from discrimination.

Malicious compliance is another behavior that creates a poisoned environment. Malicious Compliance is defined as the behaviour of intentionally inflicting harm by strictly following the orders of a superior knowing that compliance with the orders will not have the intended result. The term usually implies the following of an order in such a way that ignores the order's intent but follows it to the letter. It is usually done to injure or harm a superior while maintaining a sense of legitimacy.

3.0 ORGANIZATIONAL:

The Village of Ashcroft Official Harassment Complaint Procedure is outlined in the Village of Ashcroft Workplace Bullying and Harassment Policy No. P-02-2020.

What About Workplace Conflict?

Discrimination and harassment are specific types of conflicts which are prohibited by the *BC Human Rights Code*. There are many other types of conflicts that can arise in the workplace that are not dealt with by the *BC Human Rights Code*. For the purpose of this Policy, these other types of conflicts are dealt with as "Workplace Conflict".

Getting along with co-workers or supervisors may not always be easy, but making an effort to resolve conflict at work should be a goal of all employees at the Village of Ashcroft. It is the expectation of the Village of Ashcroft that each employee will try their best to get along with their co-workers. This means:

1. Respect the fact that others may be different from you and that they may have a different approach or way of doing something than you do.
2. Be aware of the fact that how you act can impact others in the workplace.
3. Avoid talking negatively, gossiping or being judgmental about your co-workers. This type of behavior encourages conflict in the workplace, and is not consistent with the goals of the Respectful Workplace Policy. This includes when two or more employees whisper, text or communicate in codes that create an uncomfortable work environment for others. Exclusion of an employee or employees is a form of bullying and harassment.
4. If you are not sure if your behavior is welcome, ask.

Workplace Violence

Employees must not engage in any improper activity or behavior or violent behavior in the Workplace that might create or constitute a hazard to them or any other person.

Improper activity or behavior includes the attempted exercise by a person towards another person in the workplace of any physical force or violence so as to cause injury and includes any threatening statement or behavior which gives a person reasonable cause to believe he or she is at risk of injury. Improper activity or behavior also includes physically or mentally bullying, tormenting or other demeaning behaviors towards another person.

Workplace Bullying

Workplace bullying can be defined as a conscious, willful and deliberate hostile activity intended to harm.

Bullying usually involves repeated incidents or a pattern of behavior that is intended to intimidate, offend, degrade or humiliate a particular person or group of people.

Bullying can also be described as the assertion of power through aggression.

Bullying or other aggressive or demeaning behaviors towards others are contrary to a respectful workplace and will not be tolerated at the Village of Ashcroft. Individuals, who are found to be bullying or otherwise tormenting others, either physically or mentally, will be subject to discipline.

Workplace Conflict Complaint Procedure

If someone is behaving in a way that makes you feel uncomfortable at work, or if you are having a conflict with someone at work, you are encouraged to try and speak with the person directly and discuss the matter with them. If you do not feel comfortable dealing with the individual directly, you should speak to the Chief Administrative Officer (and a union official, if he/she wishes) who will assist you in resolving the situation. If the complaint involves the Chief Administrative Officer, the complaint should be reported to another Manager.

If you see others behaving in a way that is inappropriate or disrespectful, try and speak to the person(s) involved or bring the matter to the attention of the Chief Administrative Officer.

Workplace Conflict Discipline Procedure

1. Any breach of this policy by an employee may result in remedial measures or disciplinary action up to and including verbal or written reprimand, suspension, termination of employment, or legal prosecution, depending on the severity of the infraction. Disciplinary actions will follow the guidelines provided by WorkSafeBC.
2. In situations where the findings are clear that there was no intent for an individual to offend the other person, and where there is genuine remorse and accountability, a remedial approach to resolving the disrespectful conduct may be utilized. Such measures may include coaching, attendance at training seminars, seeking and obtaining a commitment to stop the offending behaviour, and act respectfully with all persons.
3. Any breach of this policy by a contractor/consultant/visitor may result in being banned from the premises, withdrawal of privileges, and/or the cancellation of any existing contractual arrangements, and may also include the potential for legal prosecution.

4.0 REVIEW

This Policy and these procedures will be reviewed, as required. All workers will be advised and educated on this policy when they are hired.

5.0 EMPLOYMENT

As a matter of course Staff or members of Council will be required to sign an employee/Council declaration form (Schedule "A") upon commencement of employment confirming they have received a copy of the policy and will contact a manager or supervisor if they have any questions, concerns, or comments in regards to the policy and training considerations. Current employees/Council members, once the policy is adopted, will also be required to sign and declare as noted above.