



## POLICY STATEMENT

### RESPECTFUL WORKPLACE POLICY

#### **Purpose**

In addition to current Provincial legislation (the Workers Compensation Act), in 2012 WorkSafe BC developed policies that mandate the creation and maintenance of a respectful, harassment free workplace. This internal policy will apply to all Regional District employees, supervisors, and employed contractors and was developed to comply with provincial legislation.

#### **Policy - attached**

Adopted by Board: *October 7, 2015 / Resolution No. RD/15/10/27*



PEACE RIVER REGIONAL DISTRICT

# Peace River Regional District

## Respectful Workplace Policy

DEPARTMENT: Administration/ Human Resources

DATE: September 2015

diverse. vast. abundant.

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## INTRODUCTION

The Peace River Regional District, (PRRD), is committed to fostering a harassment-free workplace where all employees are treated with respect and dignity.

Workplace bullying and harassment is an issue of growing concern. It can take many forms, including verbal aggression, personal attacks, and other intimidating or humiliating behaviors. If workplace bullying and harassment is not addressed, it can lead to lost productivity, anxiety, and, occasionally, suicidal thoughts or actions.

## PURPOSE

The purpose of this policy and program is to assist in developing a working environment in which harassment and bullying are known to be unacceptable and where individuals have the confidence to address harassment and bullying, should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly. The Program outlines procedures to be followed by the PRRD if a member of staff feels they are being harassed or bullied in the course of their work or as a result of their employment.

## POLICY

The PRRD welcomes diversity and is committed to ensure that all staff will be treated in a fair and respectful manner. Bullying and harassment are not acceptable or tolerated in the workplace. All incidents must be reported and investigated immediately.

## SCOPE

This Policy applies to all individuals working for the PRRD. The PRRD will not tolerate bullying, harassment, discrimination or violence where engaged in by fellow employees, managers, officers, Board members, or contract service providers of the corporation. It applies to face-to-face and electronic communications, such as email or social media. Further, this policy does not apply to persons or outside agencies not working or affiliated with the PRRD, such as members of the public. Should an incident of this nature occur the PRRD's code of conduct and violence in the workplace legislation would apply.

Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from the British Columbia Human Rights Commission, even when steps are being taken under this policy.

This Policy is intended to supplement any other requirements imposed by applicable legislation. If any part of it is in conflict, then legislation takes precedence.

## DEFINITIONS

**Bullying/Harassment** Any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that 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.

Bullying and harassing behavior can include:

- Verbal aggression, insults or threats
- Humiliating initiation practices or hazing
- Spreading malicious rumors
- Calling someone derogatory names
- Vandalizing personal belongings
- Isolation and/or exclusion from work-related activities

The above list is not exclusive and harassment can also take place on the grounds of a person's age, religion, or any other characteristic protected under Human Rights.

Bullying and harassing behavior does not include:

- Expressing differences in opinion
- Offering constructive feedback, guidance or advice about work-related behavior
- Reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment (eg. Managing a worker's performance, taking reasonable disciplinary actions, assigning work)

**Complainant** Someone who makes a complaint or files a formal objection

**Education** Knowledge acquired by learning and instruction

## DEFINITIONS CON'T

External Investigator	Someone outside the organization hired to investigate an incident
Internal Investigator	Someone within the organization assigned or designated to investigate an incident
Respondent	One who responds or is in the position to defend his/her position
Supervisor	A person who over sees, instructs or directs workers in the performance of their duties. This could be a Manager, Supervisor, Foreman, or Coordinator.
Target	Person who is the focus of bullying/harassment
Worker	A person employed to perform a function or duty. For the purposes of this Program, worker means any permanent, temporary, casual, contract and student workers, managers and supervisors.
Workplace	Workplace is not confined to the offices and buildings where business of the PRRD is being carried out. Harassment can occur during or after working hours, on or off PRRD property. Harassment can occur during business travel, work-related social gatherings, through internet communications, or any other locations where the prohibited conduct may have a subsequent impact on the work relationship, environment or performance of any person to whom this policy applies.

## RESPONSIBILITIES

### Senior Management

- Support and endorse the workplace bullying and harassment program
- Ensure time and resources are available to conduct training, investigations etc.
- Complete all appropriate forms to document any incidents of bullying or harassment
- Assist in the investigation of any incidents of bullying or harassment where necessary or required
- Not engage in bullying or harassment of workers, supervisors or other managers

### Managers/Supervisors/Foremen

- Apply and comply with this program
- Inform and train workers on this program
- Ensure bullying/harassment is never endorsed or engaged in
- Take steps to prevent bullying and harassment
- Promote the process to report incidents and complaints of bullying and harassment
- Complete all appropriate forms to document any incidents of bullying or harassment
- Assist in the investigation of any incidents of bullying/harassment where necessary or required
- Not engage in bullying or harassment of workers, other supervisors or managers

### Workers

- Apply and comply with the employer's policies and procedures on bullying and harassment
- Report bullying and harassment observed or experienced in the workplace
- Complete all appropriate forms to document any incidents of bullying or harassment
- Not engage in bullying or harassment of other workers, supervisors, or managers

### Investigators

- Gather all required information to conduct a full and comprehensive investigation
- Complete investigations in a confidential manner and free of bias
- Provide follow up and recommendations to assist in eliminating reoccurrence

## PROGRAM

This program includes:

- A. Procedures for reporting incidents of bullying/harassment (COMPLAINANT)
- B. Procedures for investigating incidents of bullying/harassment (EMPLOYER)
- C. Appeal Procedure
- D. Training
- E. Record Keeping
- F. Annual Review
- G. Disciplinary Action

### A. PROCEDURES FOR REPORTING INCIDENTS OF BULLYING/HARASSMENT (COMPLAINANT)

1. All incidents of bullying/harassment must be reported immediately to a supervisor verbally and in writing. A *Workplace Bullying and Harassment Complaint Form* is to be completed. A sample is shown in Appendix A.
2. Where the supervisor is the alleged bully, the department head or, if required, human resources or the CAO will assist in receiving/following up on incidents/reports.

### B. PROCEDURES FOR INVESTIGATING INCIDENTS OF BULLYING/HARASSMENT (EMPLOYER)

The process for investigating incidents and complaints of workplace bullying and harassment will be:

- Ensure workplace harassment complaint form is fully completed and submitted
- Undertaken promptly and diligently, and be as thorough as necessary, given the circumstances
- Fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- Sensitive to the interests of all parties involved, and maintain confidentiality
- Focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- Incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process

#### 1. Investigator selection

Most investigations at the PRRD will be conducted internally. Depending on the situation, the supervisor, Human Resources, union representative or other designate will be the lead investigator. A worker representative from the safety committee may also be involved. In complex or sensitive situations, an external investigator may be hired. (Appendix B)

## PROGRAM CON'T

### 2. Incident Review

Investigations will include interviews with the alleged target, the alleged bully, and any witnesses. If the alleged target and the alleged bully agree on what happened, then the PRRD will not investigate further, and will determine what corrective/follow up action to take, if necessary.

Documents to be reviewed may include:

- Workplace Bullying and Harassment Complaint Form
- Emails or social media evidence
- Notes
- Photographs
- Physical evidence like vandalized objects

### 3. Follow up

All investigations of alleged bullying and harassment will be followed up and documented. Follow up will include a description of corrective actions, a time frame, and a means for dealing with adverse symptoms. The complainant(s) will be advised of the outcomes and options available. These could include assistance programs, training and discipline.

Documents to be completed:

- Workplace Bullying and Harassment Complaint Form

### C. APPEAL PROCESS

Should either complainant or respondent wish to appeal any outcome of the investigation, they are free to do so.

- An appeal must be made in writing without unreasonable delay, no later than 30 days after the decision.
- Full details on the reason for appealing the decision must be provided, clearly explaining why there is a disagreement on the decision.
- Every effort must be made to follow the current corrective actions while the appeal is reviewed.
- An appeal meeting will be arranged to discuss the appeal and, where possible, other participants may be included in the discussion (different senior manager, unbiased 3rd party, union, etc).
- A final decision will be provided in writing within one week of the appeal meeting.

## PROGRAM CON'T

### D. TRAINING

Training for supervisors and workers will include the following:

- How to recognize bullying and harassment
- How staff who experience or witness bullying and harassment should respond
- Procedures for reporting, and how the employer follows up with incidents or complaints of bullying and harassment
- Documents/form review

Training will occur as required and will be included in orientation.

### E. RECORD KEEPING

The PRRD expects that staff experiencing or witnessing suspected/alleged bullying and harassment to complete the Workplace Bullying and Harassment Complaint Form. (Appendix A). The PRRD will keep all records pertaining to investigations and findings in a secure and confidential manner. Should the employee not wish to complete a complaint form, the person receiving the complaint will diarize the details of the incident for future consideration should it happen again. To confirm, no action will be taken if a complaint form has not been completed.

### F. ANNUAL REVIEW

This program and these procedures will be reviewed annually. All workers will be advised and educated on this policy and program when they are hired, through the new employee orientation process.

### G. DISCIPLINARY ACTION

Any employee who violates this Policy will be subject to appropriate disciplinary action up to and including dismissal in accordance with this Policy.

Or

Any employee who misuses this policy by making a false complaint in bad faith will be disciplined, up to and including discharge and may also be liable for defamation and libel.

IMPLEMENTATION DATE: \_\_\_\_\_

REVIEW DATE: \_\_\_\_\_



## APPENDIX B

WORKPLACE BULLYING AND HARASSMENT INVESTIGATION FORM	
COMPLETED BY THE INVESTIGATOR	
INVESTIGATOR INFORMATION	
NAME(S):	POSITION(S):
DEPT:	DATE:
DOCUMENT REVIEW	
List all documentation reviewed (emails, notes, photographs, physical evidence etc.)	
INTERVIEWS	
PERSON INTERVIEWED (Name, position)	
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)	
PERSON INTERVIEWED (Name, position)	
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)	
PERSON INTERVIEWED (Name, position)	
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)	
OUTCOMES	
Based on the investigation, did workplace bullying and harassment occur?    Yes    No	
Reason(s) for this conclusion:	
Follow up with complainant/respondent. Include corrective actions, time frame, training opportunities etc.	