

Salt Spring Island Fire Protection District

POLICY MANUAL

Section	Employment
Policy Number	AE-2401-01
Policy Title	Respectful Workplace

POLICY OBJECTIVE

To promote and maintain a workplace in which all employees and volunteers act and are treated with dignity and respect. To establish processes for addressing complaints of Bullying and Harassment and Discrimination.

STATEMENT OF POLICY

The Salt Spring Island Fire Protection District (“District”) is committed to a respectful workplace, free from Discrimination, Sexual Harassment or Bullying and Harassment. The District considers workplace Discrimination, Sexual Harassment and Bullying and Harassment serious offences and will not tolerate behavior which may undermine the respect, dignity, self-esteem or productivity of any employee. Complaints under the policy will be addressed in an impartial, timely and confidential manner where possible.

Conduct contrary to this policy may result in disciplinary action up to and including termination of employment. Off duty conduct which has an impact in the workplace may be subject to the requirements of this policy.

This Policy prohibits retaliation or reprisals against anyone who in good faith (an honest and reasonably held belief) reports violations to this policy or participates/cooperates in a complaint investigation process even if sufficient evidence is not found to substantiate the concern. Retaliation or reprisal is considered to be discriminatory and is subject to disciplinary action by the District up to and including termination of employment.

Good faith investigations under this policy are not grounds for a Bullying and Harassment complaint. Where it is determined that a person has made a complaint in

bad faith or with the intent to harm another and/or has misrepresented what is going on in the workplace, then formal disciplinary action may be taken against the person.

SCOPE OF POLICY

This policy applies to all employees of the District including supervisors and managers. For purposes of this policy employees are defined to include excluded staff, unionized career members, paid-on-call members, casual employees and volunteers.

The investigative procedures under this policy may vary as the collective agreement or contracts for service may require from time to time.

This policy applies to interpersonal conduct at the workplace itself, or during work-related activities or events including, but not limited to, off-site meetings or conferences, incident locations, social situations related to work or workers' homes if there are real or implied consequences related to the workplace.

This policy applies to interpersonal conduct, written communications, and all forms of electronic communications.

DEFINITIONS

“Bullying and Harassment” means any inappropriate conduct or comment, including electronic, by a person toward an employee that the person knew or ought to have known would cause the employee to be humiliated or intimidated, or any other form of unwelcome verbal or physical behavior which by a reasonable standard would be expected to cause insecurity, discomfort, offence or humiliation to an employee or group of employees, and has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

Bullying and Harassment excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees or the place of employment.

“Discrimination” means discrimination within the meaning of the *BC Human Rights Code* based on a person's race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex or sexual orientation, age or criminal conviction unrelated to the employment or intended employment of the person.

Discrimination permitted by the BC *Human Rights Code* is not a breach of the policy.

“Sexual Harassment” means unwelcome conduct that is sexual in nature, which may detrimentally affect the work environment or lead to adverse job related consequences for the victim of the harassment.

It is NOT disruptive and disrespectful conduct to:

- a) comply with professional, managerial or supervisory responsibilities to evaluate and report on the performance, conduct or competence of employees;
- b) express reasonable opinions freely and courteously; or
- c) respectfully engage in honest differences of opinions.

EXPECTED STANDARDS OF CONDUCT

All employees, members of the Board of Trustees, and appointed members to board committees are expected to: promote and maintain a respectful work environment; conduct themselves within the spirit and intent of this policy; and contribute towards a safe, welcoming and inclusive work environment free from Bullying and Harassment, Discrimination, and Sexual Harassment.

CONFIDENTIALITY

Persons involved in a complaint under this policy shall ensure that the matter is kept confidential in accordance with the *Freedom of Information and Protection of Privacy Act*. Any unwarranted breach of confidentiality may result in disciplinary action against those responsible. Information is only released on a need to know basis during the investigation after consultation with the Chair of the Board of Trustees.

Documentation pertaining to a complaint is maintained in confidential storage under the control of the Corporate Administrator. There shall be no records of the complaint placed in the personal files of the Complainant, the witnesses or that of the Respondent when the allegations are not proven and there is no disciplinary action. Disciplinary warnings or actions taken against the Respondent for infractions under this policy however, are placed in the personal file of that employee.

Documentation pertaining to a complaint will only be released when the law requires the release of the information.

ROLES AND RESPONSIBILITIES

Managers and Supervisors are expected to:

- a) ensure the principles of the policy are reflected in the execution of duties, operational guidelines and practices within their area of responsibility;
- b) regularly communicate and support this policy by ensuring all persons , under their supervision are provided with a copy of the policy including knowledge of their rights and responsibilities; and
- c) take action and actively participate as needed, in the resolution and investigation of a complaint and implement remedies as required.

Employees and all persons to whom this policy applies are expected to:

- a) contribute to a respectful, safe and supportive work environment by modelling behavior consistent with the policy and not engaging in prohibited conduct;
- b) take action when they become aware of prohibited conduct; and
- c) utilize the informal resolution process where appropriate.

Board of Trustees will:

- a) take a leadership role in providing appropriate training for management and employees on respectful workplace behavior;
- b) give advice on this policy that addresses and provides assistance to resolve issues of disrespectful behavior, discrimination, and/or harassment;
- c) provide mediation where parties in dispute consent to meet to determine whether the dispute can be resolved in an informal and mutually satisfactory manner; and
- d) if circumstances require, determine if an external third party mediator should be called upon to assist in achieving resolution.

The Board of Trustees may delegate to a standing or select committee of the board responsibility to: provide advice on appropriate training and policy matters; assist with mediation efforts; and/or investigate matters pertaining to this policy and recommend a course of action.

ANNUAL REVIEW

This policy statement will be reviewed annually by the Board of Trustees.

BOARD DISCRETION

The provisions set out in this policy are subject to revision from time to time at the discretion of the Board of Trustees.

RELATED DOCUMENTS

WorkSafe BC OHS Policy D3-115-2, Employer Duties – Workplace Bullying and Harassment

Human Rights Code [RSBC 1996] Chapter 210

Freedom of Information and Protection of Privacy Act [RSBC 1996] Chapter 165

APPROVALS

Approval date:	2016-01-18	Approved by:	Board of Trustees
1. Amendment date:		Approved by:	
2. Amendment date:		Approved by:	
3. Amendment date:		Approved by:	