



**I. Purpose**

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

**II. Policy**

The City of Richmond is committed to a respectful workplace, free from Discrimination, Sexual Harassment or Personal Harassment. The City considers workplace Discrimination, Sexual Harassment and Personal Harassment a serious offence 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.

Conduct contrary to this policy will not be tolerated and 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 City up to and including termination of employment.

Good faith investigations under this policy are not grounds for a harassment complaint. Where it is determined that a person had 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. Conduct based on mistakes or misunderstandings shall not constitute malicious conduct.

**III. Scope**

This Policy applies to all persons accessing the City of Richmond facilities, including employees, volunteers, suppliers, contractors, and visitors.

While the policy will apply to all persons, the investigative procedures under this policy may vary as the collective agreement or contracts may require from time to time.

Allegations of conduct contrary to the policy involving persons who are not employees of the City of Richmond will be addressed and assessed on a case-by-case basis, and may result in cancellation of contracts, or suspension of privileges, e.g. such as access to the facility(s) in question.

**IV. Definitions**

**Discrimination** means discrimination within the meaning of the BC Human Rights Code based on a person's race, color, 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 (i.e., where a BFOR is established, or where discrimination relates to a bona fide pension plan or group insurance plan).

**Harassment** means harassment on the basis of any of the Prohibited Grounds and includes Sexual Harassment and Personal Harassment as defined herein. Under this Policy, Harassment also means any form of retaliation undertaken as a result of an individual having invoked, or in any way been involved with, a complaint lodged pursuant to this 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.

Examples of Sexual Harassment include, but are not limited to:

- Unwelcome remarks, questions, jokes, innuendo or taunting about a person's body, sex or sexual orientation, including sexist comments or sexual invitations;
- Leering, staring or making sexual gestures;
- Display of pornographic or other sexual materials;
- Unwanted physical contact such as touching, patting, pinching or hugging;
- Intimidation, threats or actual physical assault of a sexual nature;
- Sexual advances with actual or implied work-related consequences; or
- Inquiries or comments about a person's sex life or sexual preference.

**Personal Harassment** is any objectionable conduct or comment directed towards a specific person, which serves no legitimate work purpose, and has the effect of creating an intimidating, humiliating, hostile or offensive work environment.

Examples of Personal Harassment may include, but is not limited to:

- Threats;
- Bullying;
- Coercion;
- Physical Assault (actual or threatened);
- Verbal Assault;
- Taunting;
- Ostracizing; or
- Malicious gestures or actions.

It is NOT disruptive and disrespectful conduct to:

- Comply with professional, managerial or supervisory responsibilities to evaluate and report on the performance, conduct or competence of employees;
- Express opinions freely and courteously;
- Respectfully engage in honest differences of opinion.

**Complainant** is an individual who believes that he or she has a complaint of conduct contrary to the policy and is bringing forward the complaint.

**Respondent** is an individual against whom an allegation(s) of conduct contrary to the policy has been made and who is responding to the allegations made in the complaint.

**Manager** is the Division Head or the immediate exempt level supervisor of either the Complainant or the Respondent.



**Investigator** is the person assigned to investigate the complaint. The Investigator may be the Director, Human Resources or delegate or, at the Director's discretion, an external third party.

**Mediation** is a voluntary process used to resolve conflict by having a neutral, trained third party help the disputing parties arrive at a mutually acceptable solution.

#### **V. Expected Standards of Conduct**

All employees are expected to promote and maintain a respectful work environment by adhering to the following expected standards of conduct and personally responsible behavior:

- Being courteous, polite, respectful and considerate towards others;
- Acting with honesty and integrity, abiding by and upholding all rules and regulations and assisting/encouraging others to do the same;
- The inclusion of all people, including those with different strengths and opinions;
- Managing workplace conflicts using conflict resolution processes;
- Encouraging and supporting individuals to learn and practice personal conflict resolution and respectful workplace skills;

Each employee of the City of Richmond is responsible for conducting herself/himself within the spirit and intent of this Policy as well as contributing towards a safe, welcoming and inclusive work environment free from Discrimination, Sexual Harassment, and Personal Harassment.