



**POLICY 6800:**

It is Council policy that:

**I. Purpose**

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.

**II. Policy**

The City of Richmond is committed to a respectful workplace, free from Discrimination, Sexual Harassment or Bullying and Harassment. The City 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 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 Bullying and 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 employees of the City of Richmond, including supervisors and managers.

While the policy will apply to all employees, 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 conduct at the workplace itself or during work-related activities or events including, but not limited to, off-site meetings or conferences, client locations, social situations related to work or workers' homes if there are real or implied consequences related to the workplace.



#### IV. Definitions

**Bullying and Harassment** means any inappropriate conduct or comment, including electronic, by a person towards an employee that the person knew or ought to have known, would cause that employee to be humiliated or intimidated, or any other form of unwelcome verbal or physical behaviour 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.

However, 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.

Examples of Bullying and Harassment include, but are not limited to the following:

- words, gestures, actions or practical jokes, the natural consequence of which is to humiliate, ridicule, insult or degrade;
- spreading malicious rumours;
- threats or intimidation, including threats of violence;
- vandalizing personal belongings;
- physical assault or violence; and/or
- persistent rudeness, bullying, taunting, patronizing behaviour, or other conduct that adversely affects working conditions or work performance.

**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 Bona Fide Occupational Requirement is established, or where discrimination relates to a bona fide pension plan or group insurance plan).

**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 invitation or 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.



Adopted by Council: July 28, 2008  
Amended by Council: July 27, 2015

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 reasonable opinions freely and courteously; or
- respectfully engage in honest differences of opinion.

**Complainant** is an employee who believes that he or she has a complaint of conduct contrary to the policy and is bringing forward the complaint. There can be more than one complainant in a 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. A respondent may be a non-employee.

**Manager** is the Department 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. Mediation between parties are treated as private and confidential.

**Allegation** is an unproven assertion or statement based on a person's perception.

**Employee** includes all employees (full-time, part-time and auxiliary).

**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 Bullying and Harassment, Discrimination, and Sexual Harassment.

## VI. Roles and Responsibilities

Managers and Supervisors are expected to:

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

Employees (all persons to whom this policy applies) are expected to:

- contribute to a respectful, safe and supportive work environment that is collaborative and inclusive by modelling behavior consistent with the policy and not engaging in prohibited conduct;
- take action when they become aware of prohibited conduct because silence or failure to take action acts as a form of approval; and
- utilize the informal resolution process where appropriate.

Human Resources:

- will take a leadership role in providing training for management and employees on respectful workplace behavior;
- will give advice on this Policy, addressing and providing assistance to resolve issues of disrespectful behavior, and, or discrimination or harassment;
- will 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
- in some instances, may determine that an external third party mediator should be called upon to assist in achieving resolution.