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A Guide to the Respectful Workplace Policy



CITY OF
COURTENAY
Human Resources

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Overview

The City of Courtenay is committed to providing and sustaining a workplace that promotes and supports a safe and caring work environment where all individuals are treated with respect and dignity. Any behaviours and/or situations that are contrary to a respectful and dignified work environment will not be tolerated.

At the City, you have the right to be treated respectfully. You also have the responsibility to treat others respectfully.

The City recognizes that conflicts or disagreements will occur, and expects all employees to resolve these issues in a manner that contributes to a healthy and productive workplace.

The policy applies to City of Courtenay employees, applicants, contractors providing service for or to the City, suppliers providing material to the City, volunteers, members of Council, members of the public who are accessing City services or City operated facilities. It applies to the following places:

- City buildings, facilities, sites, offices or work environments
- Locations visited by employees while travelling on City related business including conferences, meetings, vendor/supplier or customer sites
- Locations of work based social gatherings

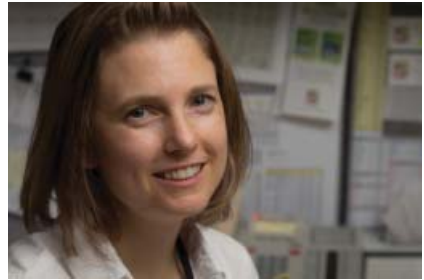
This brochure provides an overview of the Respectful Workplace Policy, and options for dealing with workplace concerns. To find a copy of the policy, or for more information, you may:

- Visit the Jostle Library – under the **Policy and Directive Manual – Human Resources** section
- Look on the T drive: **T:\Forms & Policies\Policy & Directive Manual\264007pol.pdf**
- Ask your supervisor for a copy



To create a positive, respectful workplace:

- Be polite, courteous and considerate towards others
- Treat others equitably and fairly
- Listen to what others have to say
- Be open-minded to other people's ideas, comments and suggestions
- Give positive feedback for ideas, suggestions or work accomplishments
- Suggest improvements where appropriate
- Be inclusive and involve others in decision-making where appropriate
- Ensure decision-making takes into account relevant factors and fairness
- Recognize and value the diversity of other employees, work groups, customers, and people with different backgrounds, cultures, strengths and opinions
- Practice constructive resolution of differences through respectful dialogue and be willing to apologize sincerely to people if you said or did something that may have offended them
- Ensure that individuals are supported in their efforts to learn and practice personal conflict resolution and respectful workplace skills



Inappropriate behaviour

Under the Respectful Workplace Policy, inappropriate behaviour falls into the following categories: bullying and harassment, discrimination and harassment, and damage to people or property.

Inappropriate behaviour includes comments, behaviours, or actions that:

- Are objectionable to others and serve no legitimate work-related purpose
- Are known, or ought to be known, to be unwelcome
- Have a negative effect on work or the work environment

Unacceptable behaviours that will not be tolerated at the City include:

- Written or verbal comments, conduct or actions, including practical jokes, that are degrading, offensive, beyond the bounds of fair professional conduct, demeaning, embarrassing, humiliating, or insulting
- Bullying, mobbing or intimidation
- Abuse of authority
- Confrontational, undermining, disrespectful attitude
- Spreading malicious rumours or attempting to discredit an employee by spreading false information about him/her
- Sabotaging a person's work
- Decision-making influenced by factors which have no work-related purpose
- Breach of confidentiality of another individual
- Yelling or shouting (unnecessarily)
- Refusing to co-operate with other individuals in the workplace

Learn to be open minded and respectful of people's opinions, even when you don't agree.

- Deliberate exclusion of an employee from relevant work activities or decision-making
- Conduct, comments or actions that when taken in isolation seem minor, but when repeated can lead to a conclusion of harassment
- Use of foul language or profanity
- Non-constructive feedback addressed in such a way as to intimidate, undermine confidence or imply incompetence

Bullying and Harassment

Worksafe BC's OHS policies use the phrase "bullying and harassment" as a single term which:

- (a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or ought to have known would cause that worker to be humiliated or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.



"You have the right to be treated respectfully.

You also have the responsibility to treat others respectfully."



Discrimination and Harassment

Discrimination or harassment under the BC Human Rights Code means treating someone differently and poorly because of their race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex (includes pregnancy, breastfeeding, and sexual harassment), sexual orientation, gender identity or expression, age (19 and over), criminal conviction and political belief unrelated to employment.

Examples of discriminatory practices include:

- Denial of equitable treatment in hiring or in the terms, conditions or benefits of employment, such as paying a woman less than a man who is doing the same job or forcing an employee to retire because of their age
- Denial of access to or the processes by which people use City related services, programs and/or facilities, based on the grounds in the BC Human Rights Code listed above

Some bullying and harassment behaviours may also involve breaches of human rights under the BC Human Rights Code – such as when the behaviour involves racial or sexual discrimination

towards a worker. Harassment is a form of discrimination under the Code, that occurs when a person is subjected (often repeatedly) to unwelcome comments or behaviour that is insulting or demeaning, or is otherwise offensive, because of any of the grounds listed above.

Examples of harassment include:

- Any previously described inappropriate behaviour that is based on grounds under the BC Human Rights Code
- Sexual harassment includes comments or conduct such as: unwelcome advances, requests, comments, physical contact, unnecessary touching or gestures that are of a sexual nature
- Implied or expressed threats of reprisal for refusing to comply with a request of a sexual nature, or promises of reward for agreeing to comply with a request of a sexual nature
- Unwelcome remarks, jokes, taunts, suggestions or speculations about a person's body, attire, sex life, etc.
- Displays of pornographic or other sexual materials in the form of pictures, email, graffiti, cartoons or sayings

Damage to People or Property

Inappropriate behaviours in this category include:

- Vandalism or deliberate destruction of City property
- Threats
 - Including any act, gesture or statement that gives an employee reasonable cause to believe that there is risk of injury to themselves, another person or City property
 - Including any statement, either verbal or written, that is reasonably interpreted by a person to be menacing or taunting in nature
 - Including such things as coercion, intimidation, persecution, humiliation, bullying, ridiculing or belittling
- Violent acts
 - Defined as any act that causes or may cause physical harm or significant emotional distress to an individual. Behaviours that are threatening to personal safety or are violent require immediate action to ensure the safety of others. Incidents of threats or violence must be reported immediately to a supervisor
 - If there is immediate danger call 9-1-1



Questions and Answers

The Q and As are meant to help you recognize behaviours that are considered appropriate and those that are not. The information will help you understand your rights and responsibilities with respect to the Respectful Workplace Policy.

Q: Does the inappropriate behaviour have to be intentional?

A: No. Lack of intent is not the issue. It is the effect or impact of the behaviour that is considered important. If someone has been hurt – the behaviour is hurtful regardless of the intent. Lack of intention does not excuse the behaviour if a reasonable person would know that the behaviour would be humiliating or intimidating.

Q: How am I supposed to know what kind of behaviour is unwelcome?

A: Sometimes the signs are not clear. You need to be sensitive to the possibility that others do not welcome your behaviour. More often than not, if we pay attention, the message is clear. People show their disapproval in different ways:

- Verbal responses such as: “no,” “I don’t like that,” “your joke is not appreciated,” “please don’t do that,” etc
- Physical responses such as: pushing a hand away, moving away, or leaving the room

- Facial expressions indicating discomfort or distress such as embarrassment or shock
- Nervous smiles or laughter
- Silence such as not laughing at ‘jokes’

Q: What if someone tells me that I’ve been out of line with them?

A: Truly, the best thing you can do is apologize. Receiving feedback isn’t always easy. If you find that someone is telling you that you’ve acted inappropriately with them, listen hard. One way to think about it is remembering the word LAST: Listen, Apologize, Say what you are going to do differently, and Thank them for having the courage to share their perspective with you. Then, act upon what you’ve been told.

Q: How is joking around or ribbing someone considered inappropriate if I’m just having a little fun?

A: Humour is healthy and can help relieve tension, reduce boredom and create a bond between people. Everyone can appreciate a good joke, but if people find the joke offensive, it’s not funny. It’s that simple. Your intent is to be funny, not to offend, right? Look for a new joke.

This advice also applies to email. Just as we all have our own sense of humour around verbal jokes, the same holds true for email jokes. Because we can't see visual cues from people over email, this is even more of a communication minefield! Be careful about sharing your humour through email as there is a greater chance electronic messages will be misinterpreted than through face to face communications, so it's probably not worth the risk. You also need to keep in mind the City Directive 1310.00.01(d) on Technology Use and Confidentiality:

*Available on Jostle, or at
T:\Forms & Policies\Policy & Directive
Manual\131001dir Technology Use
and Confidentiality.pdf*

Q: How do I tell someone they have crossed the line with me? I don't want to seem to be 'too sensitive.'

A: Giving someone feedback can be hard. It takes courage. It can also take practice. Here's a way that can also get your point across:

Describe the behaviour that is out of line.

Express your feelings and the impact the behaviour has on you.

Say what you need specifically to change.

Communicate the consequences if nothing changes.

Remember: DESC

Here's an example: "You make negative comments about (ethnic group). I find that really hard to take.

It makes me really uncomfortable. I need you to stop making those comments around me. If the comments continue I will consider bringing this to our supervisor. "

Q: I hear you can't have pictures of nudes, risqué calendars or sexually suggestive cartoons at work?

A: That's right. This is the workplace and those pictures don't belong here. In fact, displaying such material could result in allegations of harassment.

Q: Am I crossing the line if I ask a co-worker out on a date?

A: No. However, should your co-worker not wish to go out with you and you persist, this could be interpreted as a form of harassment. Should he or she say "No"- this is your cue to stop. If you are a supervisor, it is not appropriate to ask out someone who works for you. Supervising someone you are dating or with whom you live with or to whom you are related is likely a conflict of interest. It can lead to perception of favouritism despite any efforts you make to be fair. Consensual workplace relationships may create conflicts of interest that need to be addressed. These should be reported in accordance with the City's Conflict of Interest Policy #2510.00.02:

*Available on Jostle, or at
T:\Forms & Policies\Policy & Directive
Manual\251002pol.pdf*

Questions and Answers *(continued)*

Q: How do I handle it if a colleague is looking for a more personal relationship than I want?

A: A colleague can ask, and you can say yes or no. If you are not interested, you need to let them know clearly and respectfully that you do not share their interest.

Q: Isn't it too risky to report an incident? I could be isolated at work. It could negatively affect my career.

A: The City takes your concerns seriously and has confidential support and advice for anyone with questions and concerns. Many people remain silent because they are afraid, so the cycle of inappropriate behaviour continues. Speaking up may not be easy and it takes courage to come forward. Be one of those who chooses to break the cycle.

In fact, under Worksafe BC legislation, employees are responsible for reporting harassment and bullying. Retaliation for raising a concern in good faith is prohibited by Worksafe BC and the City's policy.

Q: What are some options for dealing with a situation?

A: The sooner action is taken the better. There is a range of possible responses. They include:

- You tell the person to stop
- You write them a note or email
- You ask a respected colleague,

supervisor or human resources representative to help you choose a course of action

- You ask your manager to take action
- You ask for assistance from a union representative if you are a unionized employee

Whenever possible we encourage people to address the problem at the first opportunity. These options are all fairly informal and keep control of the situation largely in your hands. It also keeps information about the situation contained to as few people as possible.

Q: What if there is still a problem?

A: The City of Courtenay has a formal complaint process. This process is detailed in the Respectful Workplace Policy. If you have an unresolved complaint, refer to the Respectful Workplace Policy and follow the process.

Q: Can formal complaints under the Respectful Workplace Policy be brought forth at any time?

A: Complaints or allegations should be reported as soon as possible. Formal complaints can be accepted up to six months after the most recent incident of inappropriate behaviour. Once received, the complaint is reviewed to determine if it is complete and if it is best addressed by a formal complaint investigation.

Resources

Sometimes we need help figuring out what to do to address workplace problems. Here are some of the resources available to you.

- **Your supervisor or manager**
- **Human Resources Department**
- **Your union or association**
- **Employee and Family Assistance Program (EFAP)**
Homewood Health (Pacific Blue Cross) pbc-efap.ca 1-844-722-3327
- **City of Courtenay Respectful Workplace Policy**
on Jostle Library: Policy & Directive Manual – Human Resources
- **Worksafe BC**
www.worksafebc.com Search topic “bullying & harassment”
- **BC Human Rights Protection**
www.ag.gov.bc.ca/human-rights-protection



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