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Practices & Procedures

Subject: Respectful Workplace

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Summary

The focus of this Policy is to ensure a respectful workplace, prevent disrespectful behaviour and outline guidelines to address disrespectful workplace behaviour should it occur.

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Purpose

The Trout Lake Vancouver Community Centre Association's (TLVCCA) greatest resource is its people. It is essential to our operation that Employees, Contractors and Volunteers are provided with, and contribute towards, a respectful workplace where the values of trust, fairness, integrity, consideration and dignity guide our interactions with one another. The TLVCCA is committed to providing a work environment in which all individuals are treated with mutual respect and dignity. In our diverse and equitable workplace, the TLVCCA endeavors to ensure all Employees, Contractors, and Volunteers have the opportunity to contribute fully to the TLVCCA's mission, and that each person's unique contribution is respected.

This policy deals specifically with disrespectful workplace behaviour. Disrespectful behaviour, commonly referred to as "personal harassment," is not covered by human rights legislation. The focus of this Policy is to ensure a respectful workplace, prevent disrespectful behaviour and outline guidelines to address disrespectful workplace behaviour should it occur.

Scope

This Policy applies to all TLVCCA Employees, Contractors, and Volunteers. This Policy applies to the workplace itself, and to work-related events. It includes disrespectful behaviour involving TLVCCA Employees, Contractors, and Volunteers that happens away from the workplace or after regular working hours, where those behaviours have a negative impact on the workplace.

For clarity, this Policy does not apply to Park Board Employees (who are not also TLVCCA Employees). However, this Code of Conduct is intended to be consistent with the policies of the City of Vancouver, and this Code of Conduct does apply to employees, Contractors and Volunteers in their interactions with Park Board Employees (who are not also TLVCCA Employees).

Definitions

Board means the board of directors of the TLVCCA.

Park Board Employees means employees of the Vancouver Board of Parks and Recreation which are governed by collective bargaining agreements.

Complainant means the individual making a complaint that disrespectful behaviour has occurred.

Director means a member of the Board.

Disrespectful Behaviour means behaviour that:

- ought reasonably to be known or expected to be offensive, humiliating or intimidating;

- has a clear and demonstrably negative effect on the complainant;
- includes either words or actions and can consist of a single incident or a number of incidents;

Some examples of disrespectful behaviour as defined under this Policy include, but are not limited to:

- public ridicule or humiliation;
- verbal or written abuse or threats;
- insulting, derogatory or degrading comments, jokes or gestures;
- directing profanity or violent language at another person;
- unjustifiable or deliberate interference with another's work or work sabotage;
- interference with or vandalizing personal property;

Some examples of conduct that are not considered disrespectful behaviour under this Policy include, but are not limited to:

- welcome, mutually consensual relationships or social invitations that do not involve inappropriate or offensive behaviours, intimidation, explicit or implicit threat of retaliation, or misuse of power;
- conduct that a reasonable person would find welcome or neutral;
- exercise of the TLVCCA's right to direct the workforce, including all aspects of supervising and managing such as giving appropriate and legitimate performance feedback, managing Staff attendance, coaching, and discipline;
- disagreements or misunderstandings;
- conflicts or quarrels between co-workers unless they include disrespectful behaviours as outlined above.

TLVCCA means the society incorporated under the BC Societies Act as the Trout Lake Vancouver Community Centre Association.

Respectful Workplace is a work environment where individuals treat each other with respect at all times which includes:

- inclusion of people with different backgrounds, strengths and opinions;
- safety from disrespectful, bullying or intimidating behaviours;
- individual accountability for effective workplace relationships involving the
- constructive resolution of differences.

Respondent means the individual alleged to have engaged in Disrespectful Behaviour.

Employee means an employee of the TLVCCA.

Executive means the executive committee of the TLVCCA.

Supervisor means an Employee or Contractor who is responsible for supervising other Employees or Contractors, and includes the Community Recreation Supervisor.

Volunteer means a person who volunteers to provide services to the TLVCCA

Policy Statements

1.0 General

1.1. Employees, Contractors, and Volunteers shall not be subjected to, and shall not subject another individual to, disrespectful behaviour as defined in this Policy.

2.0 Roles and Responsibilities

2.1 *The Board*

The Board has the primary responsibility to establish and maintain a respectful workplace as defined in this Policy.

2.2 *Executive Committee*

The responsibilities of the Executive Committee include:

- ensuring a fair, prompt and equitable process is followed;
- championing respectful workplace behaviours and practices;
- protecting the privacy and confidentiality of all individuals involved;
- working with Supervisors to determine corrective action;
- where appropriate, facilitating joint involvement of management and other Staff to resolve issues.

2.3 *Supervisors*

Supervisors have an essential role in preventing and resolving disrespectful behaviour issues.

Supervisors are responsible not only for their own actions, but also for dealing with the actions of staff under their supervision.

Supervisors primary responsibilities with respect to disrespectful behaviour are:

- ensuring Employees, Contractors, and Volunteers are provided with information about and access to policies and procedures related to behaviour expectations, including this Policy;
- modeling appropriate respectful behaviour;
- monitoring the workplace for incidents of disrespectful behaviour;

- intervening promptly and appropriately when they know, or ought reasonably to know, that disrespectful behaviour is occurring;
- working cooperatively with the Executive to resolve and remedy instances of disrespectful behaviour;
- taking steps to restore positive working relationships.

2.4 Employees, Contractors, and Volunteers

All Employees, Contractors, and Volunteers are a part of creating a respectful workplace and have a responsibility to refrain from disrespectful behaviours as defined in this Policy, and to:

- act in a professional manner consistent with the standards that
- support this Policy;
- take personal responsibility to maintain respectful working relationships and constructively resolve conflicts;
- seek out support and assistance if required from their Supervisor or the Board to effectively resolve workplace conflicts;
- co-operate with, and participate in, any related investigation process as required

3.0 Complaint Resolution Procedures

3.1 Informal Resolution

The TLVCCA strives to provide a wide range of options to resolve complaints informally. Informal resolution may include, but is not limited to behavioural guidelines or agreements, apologies or other measures acceptable to both the Complainant and Respondent.

Informal resolution approaches may include:

- Discussing concerns directly with those involved if it is reasonable and safe to do so. Often the easiest way to stop disrespectful behaviour is to let those involved know that certain behaviours are disrespectful, unwelcome and inconsistent with TLVCCA policy.
- Requesting assistance from an appropriate party to assist in discussing concerns with those involved. An appropriate party could include a Supervisor or the Executive; Supervisor or a the Executive may suggest interim measures to be taken during either the informal or formal processes.

3.2 Formal Resolution

If a complaint cannot be resolved informally, a formal complaint may be made in writing by the Complainant to the Executive. Employees, Contractors, and Volunteers may seek the assistance of a Supervisor or other colleague they feel comfortable in assisting them in writing a formal complaint. As all Employees, Contractors, and Volunteers have a responsibility in creating a respectful workplace, occurrences of disrespectful behaviour may be reported to the Executive by another party such as a colleague or Supervisor.

The formal resolution process is initiated once a written complaint is received. Once a formal written complaint of disrespectful behaviour is made, the Executive may commence an investigation if appropriate and may recommend the engagement of an external party in the investigation process.

Formal resolution investigations cannot be carried out anonymously. The identity of the complainant and the allegations contained in the complaint will be made known to the individual(s) alleged to have engaged in disrespectful behaviour and he/she shall be provided an opportunity to respond to the allegations.

At the conclusion of an investigation, the investigator will document his/her findings and any recommendations for the resolution of the disrespectful behaviour. The Executive will determine the appropriate action to be taken, communicate the decision to the Complainant and Respondent, identify follow-up actions to ensure the issue has been resolved and provide any additional support deemed necessary for the parties involved.

Concerns about disrespectful behaviour should be raised as soon as reasonably possible to ensure disrespectful behaviour does not go unaddressed. It is recommended that Employees, Contractors, and Volunteers bring forward concerns no longer than 6 (six) months from the time of the last alleged incident of disrespectful behaviour, although this does not preclude a complaint being raised at a later date.

3.3 False or Malicious Complaints

If a Complaint is found to be false or brought for malicious purposes, the TLVCCA may take disciplinary measures against the Complainant, up to and including termination of employment. However, a Complaint that is found to be unsubstantiated or based on mistake may not be considered false or malicious.

4.0 Retaliation

Any form of retaliation or discrimination against a person because that person initiated a complaint, or because that person acted as a witness or participated in a complaint resolution process will be considered a violation of this Policy. Retaliation may result in discipline up to and including termination of employment.

If an Employee, Contractor, or Volunteer believes that they have been subjected to retaliation as set out above, that person may submit a written complaint to the Community Recreation Supervisor, who will review the complaint with the Executive to ensure the allegation is addressed.

5.0 Consequences of Disrespectful Behaviour

Engaging in disrespectful behaviours or retaliation may result in disciplinary action up to and including

termination of employment or the Contractor or Volunteer relationship. Repeated instances of disrespectful behaviour will be considered as one of the factors in determining the appropriate level of disciplinary action. Disrespectful behaviour does not need to be intentional although intention may be relevant in assessing the severity of the behaviour.

6.0 Confidentiality

Information collected and retained by the Executive during the course of an investigation process is treated as confidential. During the investigation process, the Executive will limit disclosure of investigation-related information to that which is necessary to resolve the complaint. Information collected and retained by the Executive may be required to be released by law including release required in court proceedings, arbitration or other legal proceedings.

7.0 Agreements and Legislation

In the event that any portion of this Policy is inconsistent with a binding collective agreement that applies to any Employee, or with federal or provincial legislation, that portion and only that portion of the Policy shall have no application to the extent of that inconsistency. All other portions of the Policy shall continue in full force and effect.

8.0 Related Policies

- Code of Conduct

9.0 Roles and Responsibilities

Document Owner is First/Second/Third Vice President. Revision schedule and approvals are as per policy on creation and approval of TLVCCA policies.

Table 1: Association policy amendment history

Version	Date	Comments
1.0	October 1, 2018	New policy
1.0	30 January 2019	Approved by Board resolution