



POLICY MANUAL

Revised Policy No. 310

Section:	Human Resources
Title	Positive Workplace Environment: Anti-Bullying, Harassment and Discrimination

REASON FOR POLICY

The North Vancouver Recreation & Culture Commission (NVRC) is committed to providing a work environment that treats employees with respect and is supportive of their personal dignity, self-esteem and well-being. The policy seeks to prevent and remedy workplace bullying, harassment and discrimination.

POLICY

Responsibility for creating and maintaining a positive work environment rests with everyone sharing the NVRC workplace. Bullying, harassment and discrimination are neither acceptable nor tolerated in the workplace.

RESPONSIBILITIES

Executive Management

- Apply and comply with this policy and related procedures
- Ensure time and resources are available to conduct training, investigations, etc.
- Complete all appropriate forms to document any incidents of bullying, harassment or discrimination

Coordinators/Supervisors

- Apply and comply with this policy and related procedures
- Inform and train workers and volunteers on this policy and program
- Ensure bullying, harassment and discrimination are never endorsed or engaged in
- Take steps to prevent bullying, harassment and discrimination
- Promote the process to report incidents and complaints of bullying, harassment and discrimination
- Assist in the investigation of any incidents of bullying, harassment or discrimination where necessary or required
- Complete all appropriate forms to document any incidents of bullying, harassment or discrimination

Workers

- Apply and comply with this policy and related procedures
- Report bullying, harassment and discrimination observed or experienced in the workplace
- Complete all appropriate forms to document any incidents of bullying, harassment or discrimination

Investigators

- Complete investigations free of bias
- Gather all required information to conduct a full and comprehensive investigation
- Provide follow-up and recommendations to assist in eliminating reoccurrence

CONFIDENTIALITY

All persons to whom this policy applies are expected to respect and preserve the confidentiality of any complaint and process under this policy. Information will be disclosed only to the extent necessary to carry out the procedures, including the conduct of a fair investigation and the implementation of corrective/disciplinary measures, and where disclosure is required under lawful authority. As part of the fair investigation, the alleged bully, harasser or discriminator will be advised of the complaint and provided with an opportunity to respond. The appropriate manager/supervisor may also be apprised of the complaint in order to provide information or implement corrective action. All records are subject to the *Freedom of Information and Protection of Privacy Act*.

REVIEW

The Employer will engage in ongoing consultation regarding the nature and effectiveness of the bullying, harassment and discrimination program by reviewing annually:

- The Positive Workplace Environment: Anti-Bullying, Harassment and Discrimination Policy statement
- Steps taken to prevent or minimize workplace bullying, harassment and discrimination
- The reporting procedures
- The procedures for dealing with incidents and complaints

DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

Workplace - Any office, building or work sites where NVRC business is carried out. Also included are any work-related social functions and business travel, internet communications or any other locations where unacceptable behaviour may have an impact on the work relationship.

Bullying/Harassment - Any inappropriate conduct or comments directed at and offensive to another individual that the person knew or reasonably ought to have known would cause that worker to be humiliated, offended, intimidated, or cause harm but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Examples of bullying/harassment may include, but are not limited to the following:

- Verbal aggression or insults; calling someone derogatory names
- Vandalizing a worker's belongings or work equipment
- Sabotaging a person's work
- Spreading malicious gossip or rumours about a person
- Engaging in harmful or offensive initiation practices
- Physical assault or threats (this would also constitute "violence")
- Making personal attacks based on someone's private life and/or personal traits
- Making aggressive or threatening gestures
- Engaging in targeted social isolation

Discrimination - Any conduct, comment, gesture or contact that is unwelcome or ought to reasonably be known to be unwelcome, based on a prohibited ground of discrimination under the BC Human Rights Code, and that negatively affects the work environment or leads to adverse job-related consequences for the person subject to the discrimination.

Discrimination may include, but is not limited to any conduct, comment, gesture or contact based on race, colour, ancestry, place of origin, political belief, religion, marital status, physical disability, mental disability, sex, sexual orientation, or age.

Not every unpleasant interaction, instance of disrespectful behaviour or workplace conflict is considered bullying, harassment or discrimination. Bullying, harassment and discrimination **do not include:**

- Expressing differences in opinion
- Offering constructive feedback, guidance or advice about work-related behaviour
- Reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment (i.e. decisions relating to job duties, hours of work, workloads, deadlines, reorganizations, work instructions or feedback, performance management or evaluation, disciplinary actions)
- Properly discharged Union responsibilities including the filing of grievances
- Making a legitimate complaint about someone's conduct through established procedures

Whether any conduct or comment will constitute bullying, harassment or discrimination will depend on the context and whether the individual engaging in the conduct or comment knew or reasonably ought to have known that the worker subjected to it would be humiliated or intimidated. Note that anyone engaging in offensive behaviour cannot be "willfully blind" to its effects, nor can the behaviour be excused on the basis

that the person engaging in the behaviour did not intend for it to humiliate or intimidate the worker.

Complainant - A worker who has brought forward or filed a complaint pursuant to the terms of this policy, alleging that bullying, harassment or discrimination has occurred.

Respondent - The person who responds or is in the position to defend his/her position (i.e. the alleged bully, harasser or discriminator).

Target - Person(s) who is/are the focus of bullying, harassment or discrimination

Employee - A person employed to perform a function or duty

AUTHORITY TO ACT

Authority to act is delegated to the Director of Recreation & Culture.

See *"Procedures Related to Human Resources Policy No. 310: Positive Workplace Environment: Anti-Bullying, Harassment and Discrimination"*.

Approval Date:	September 11, 2014	Approved by:	Commission
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