

POLICY

Policy Name:	Respectful Workplace Policy				
Approval Authority:	Board	Adopted:	Feb. 14/25	Reviewed:	
Responsible Staff:	CEO, Manager of Finance and Operations	Revised:			
Responsible Committee:	Executive Governance Committee	Contact:	Christine Houghton, Helen Taraskin		

1. Purpose

The Respectful Workplace Policy establishes policy, practices, and procedures that promote an environment of mutual respect, safety, and inclusiveness for all employees, volunteers, students, and others working within the College of Applied Biologists. The College is committed to ensuring that all employees, Board and committee members are treated with dignity and respect, free from discrimination and harassment, and supported in resolving workplace disputes in a constructive manner.

Through this Policy, the College supports the maintenance of Respectful Workplaces by providing:

- Education about appropriate workplace behaviour and dispute resolution;
- Definitions for discrimination, harassment, and personal harassment or bullying;
- Roles and responsibilities for everyone in our organization in maintaining a respectful workplace; and
- A fair complaint resolution procedure for resolving disputes or incidents related to this Policy (Appendix A).

2. Scope

This Policy applies to all employees, volunteers, contractors and others who work within or interact with the College.

This Policy extends to any location at which the business of the College is conducted, including buildings, grounds, vehicles, and equipment where individuals are gathered under the auspices of the College. Work-related travel, telephone conversations, virtual meetings and online activities such as email and social networking are covered by this Policy.

3. The Policy

- 3.1. Every individual working within the College (including, volunteers and contractors) has the right to be treated with fairness, courtesy, and respect. The College expressly prohibits and will not tolerate any form of discrimination, harassment, exploitation, bullying, or violence, be it physical, sexual or psychological, based on one or more of the protected categories listed in the BC Human Rights Code.
- 3.2. Every individual working within the College is responsible for conducting themselves in a respectful manner, including:
 - a) Taking responsibility for their own conduct and its impact on others,
 - b) Attempting to resolve personal differences in the workplace in a respectful manner,
 - c) Reporting any violations of this Policy to management
 - d) Participating in appropriate initiatives to improve respect and conflict resolution within their work units, including coaching, in-service training, and/or internal or external expert intervention (Appendix A provides a guidance on the internal complaint resolution process)
- 3.3. Failure of any individual to maintain respectful conduct may lead to discipline up to and including termination of employment and/or cancellation of contract or the cessation of their volunteer services
- 3.4. The College management ensures that expectations related to respectful workplace environment are clearly outlined to employees, volunteers, contractors by discussion and educational opportunities.
- 3.5. The College acknowledges that it may be unreasonable or unsafe to initiate informal resolutions solely between the two parties.
- 3.6. The College will investigate all incidents and complaints related to any discrimination, harassment, bullying, violence in the workplace, in a fair and timely manner, respecting the privacy of all concerned to the extent possible.
- 3.7. The College ensures that a formal process will be initiated in consultation with the complainant, prioritizing their safety throughout the resolution process.
- 3.8. The College ensures that there will be no retaliation or reprisals against any person that brings forth, in good faith, a complaint or concern or participates, in good faith, in an investigation.
- 3.9. Investigations will be conducted by resources that are impartial and are seen to be impartial by both the complainant, the respondent, and the College.
- 3.10. The College will take every reasonable precaution for the protection of its employees and volunteers in cases where it is aware that harassment, exploitation, bullying, and/or violence may expose employees to injury in the workplace. This may include training supervisors to better recognize the signs of harassment, exploitation, bullying, and violence.

- 3.11. While it is ideal that all complaints related to discrimination, harassment, exploitation, bullying, or violence be made in writing, in the interest of ensuring an open and transparent dialogue that encourages disclosure and communications, incidents or suspected incidents can be reported to supervisors or management verbally. However further documentation of the incident may be required following the initial report of the incident.

4. Resources

1. BC Humans Right Code:
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96210_01
2. Freedom of Information and Protection of Privacy Act:
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96165_00
3. College's Code of Ethics and Professional Conduct:
https://cab-bc.org/wp-content/uploads/cab_schedule_1_coepec_feb13_23_v1.pdf

5. Definitions

“Workplace Harassment” refers to engaging in a pattern of vexatious comments or behavior towards someone in the workplace, which is known or should reasonably be known to be unwelcome. Such behavior serves no legitimate work-related purpose and results in creating a demeaning, intimidating, hostile, or offensive work environment. Unwelcome refers to behavior or actions from another person that cause an individual to feel uncomfortable or distressed.

Workplace Harassment, often termed "bullying," includes but is not limited to:

- Psychological abuse: e.g., badgering, following, staring down.
- Verbal abuse: e.g., yelling, swearing, ridicule.
- Spreading malicious gossip or rumors.
- Inappropriately interfering with or sabotaging someone else's work.
- Practical jokes that cause awkwardness or embarrassment.
- Cyber-bullying: e.g., targeting or demeaning someone through online activities such as email, text messaging, or social networking.
- Verbal or perceived physical threats.
- Physical assault.

To constitute workplace harassment, there must be either repeated conduct or comments that have a lasting, harmful impact on an individual, or a single, serious incident of conduct or comment that has a lasting, harmful impact on an individual.

Personal harassment can occur even without the intent to harass or offend.

“Workplace Bullying” - bullying is usually seen as acts or verbal comments that could mentally hurt or isolate a person in the workplace. Sometimes, bullying can involve negative physical contact as well. Bullying usually involves repeated incidents or a pattern of behaviour that is intended to intimidate, offend, degrade or humiliate a particular person or group of people. It can also be described as the assertion of power through aggression.

“Workplace Violence” - an exercise of physical force or the attempt to exercise physical force by a person against another person in a workplace that causes, could cause, or threatens to cause physical injury to another.

“Discrimination” is defined as the unfair, differential treatment of an individual or group based on one or more of the protected categories listed in the BC Human Rights Code, resulting in disadvantage by imposing extra burdens or denying benefits. The protected categories include: age, ancestry, place of origin, colour, race, religion, sex, gender, unrelated criminal conviction, family status, marital status, mental or physical disability, political belief or sexual orientation.

To constitute discrimination, there must be either a repeated conduct or comments that have a lasting, harmful impact on an individual, or a single, serious incident of conduct or comment that has a lasting, harmful impact on an individual.

Discrimination can occur even without the intent to discriminate or offend.

“Workplace Sexual Harassment” - includes unwelcome advances of a sexual nature. Unwelcome refers to behavior or actions from another person that cause an individual to feel uncomfortable or distressed.

Sexual harassment also includes engaging in a course of vexatious comment or conduct against another in the workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. Examples of this may include: sexually suggestive gestures, sexual jokes or discussions of a sexual nature, leering, advances or propositions, display of sexually offensive material.

Sexual harassment also includes making sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to another and the person knows, or ought reasonably to know, that the solicitation or advance is unwelcome.

What is not harassment

Harassment is a serious offence and must be distinguished from legitimate workplace activities and relationships. Nothing in this Policy is intended to reduce the rights and responsibilities of a management, Board and Committee chairs to appropriately and in good

faith, manage the work performance of individuals in their teams. Examples of the legitimate exercise of supervisory and managerial responsibilities include, but are not limited to:

- Advising or coaching,
- Assigning or changing work duties,
- Performance appraisal,
- Taking appropriate disciplinary action.

Similarly, not every difficult workplace interaction or conflict is considered harassment. Examples of conduct not considered harassment under this Policy include, but are not limited to:

- Consensual workplace banter that is reasonably understood to be welcome by everyone involved,
- Interpersonal disagreements that are not threatening or demeaning,
- Respectful discussion of differences in opinion,
- Differing communication or work styles that are within reasonable limits of respectful workplace interactions.

Appendix A.

Procedure of internal complaints resolutions

Procedures for resolving complaints range from informal interventions to formal investigation. The College encourages the use of informal resolution procedures first whenever possible to resolve concerns, with progression to more formal process only when efforts to resolve concerns informally have proven unsuccessful or if formal investigation is determined to be the only appropriate process for addressing the complaint.

Any individual working within the College (including, volunteers and contractors) who believes they are experiencing discrimination, harassment, or bullying is strongly encouraged to attempt to resolve their concerns as early as possible to avoid the escalation of conflict and to ensure a timely resolution.

The following steps outline the internal complaints resolution process :

1. An individual who believes that they have experienced personal harassment or discrimination (the "complainant") should ask the other party (the "respondent") for a discussion of their concern, if it is reasonable and safe to do so. The parties should meet in a quiet place to maintain confidentiality and privacy as much as possible. If necessary, the individuals should request supervisory permission to step away from their duties into a private area.

The purpose of the discussion is to:

- make the respondent aware that their behaviour is unwelcome,
- hear the respondent's perspective, and
- ask that the conduct stop.

If the concerns are successfully resolved, no further steps need be taken.

2. If the above approach does not result in a satisfactory resolution, the employee should then discuss the problem with his/her/their immediate supervisor or, if the issue is with the immediate supervisor, discuss with the next level supervisor.

When the conflict involves the Chief Executive Officer, the complainant should ask the Chair of the Board for assistance.

The complainant should make their own written record of any incident(s), dates, times, and names of persons who may have witnessed the conduct and any action taken to address the incident(s).

3. The complainant will be provided the opportunity to meet with the management or delegated external consultant to fully review the concern, this Policy, and the range of potential options available for addressing the complaint, including

- facilitative support such as coaching and education,
 - mediation between the involved parties, and
 - formal investigation where appropriate.
4. If the management or delegated external consultant determines that the allegations would not constitute a violation of this Policy, no investigation will be conducted. The management will advise the complainant of this decision and remain available to the complainant for discussion of other routes of resolution for their complaint.
 5. If management or delegated external consultant determines that the alleged conduct would constitute a violation of this Policy, the complainant may:
 - a. proceed with an informal resolution process such as mediation conducted in confidence by the management or delegated external consultant.
 - b. request a formal investigation and resolution process where appropriate; or
 - c. take no further action.
 6. Management or external delegated consultant may determine upon consultation with the complainant that the matter is not suitable for informal resolution procedures and instead warrants formal investigation. A complainant is not obligated to pursue a formal complaint. However, the College reserves the right to pursue an investigation and resolution process with or without the individual's consent when it has sufficient concerns about the alleged conduct and the need to ensure a safe and respectful workplace.
 7. If the complainant wishes to attempt to resolve the concern through informal measures management or a delegated external consultant will:
 - 7.1. contact the respondent,
 - 7.2. present the concerns of the complainant
 - 7.3. provide an opportunity for the respondent to present their perspective, and
 - 7.4. explore ways of resolving the complaint.
 8. If both the complainant and respondent agree, an informal dispute resolution process such as mediation will be conducted in confidence by management or delegated external consultant.
 9. If the parties reach a satisfactory resolution, management or delegated external consultant will make note of the agreement. The complainant and respondent can request that a written summary of the agreement be prepared and distributed to both parties. If a supervisor is involved and has a role to play in the resolution, they will be informed about the specifics of the agreement.
 10. If no mutually accepted resolution is achieved, the complainant has the option of either withdrawing the complaint or requesting that the formal investigation and decision process be initiated.

11. If no mutually acceptable resolution is achieved, the respondent has the option of requesting that the formal investigation and reporting process be initiated.
12. Investigations will be conducted when appropriate and when other possible avenues for resolving the complaint have been exhausted. Investigations should be conducted by an independent third party to ensure objectivity, fairness, and that due process is provided for all parties involved. Decisions regarding timelines and other requirements of the investigation will be made on a case-by-case basis, with consideration for the specific circumstances of each situation.
13. All parties involved in a complaint resolution process under this Policy are expected to maintain confidentiality to the extent possible and appropriate. Information that must be shared will be disclosed on a "need to know" basis only. In addition, no information disclosed during the process will be shared with others except as dictated by law in the area of child abuse, subpoena, or perceived risk to others. A breach of confidentiality will be considered a violation of this Policy.
14. Any allegation or formal complaint of discrimination or harassment under this Policy will be considered personal information "supplied **in** confidence" for the purpose of Section 22 (2)(f) of the *Freedom of Information and Protection of Privacy Act*. The name of the complainant and the circumstances of the complaint will not be disclosed to any person except where necessary for the fair and proper investigation and resolution of the complaint. The substance of investigative reports and meetings held by those in authority to make a decision on the disposition of the complaint will be protected from disclosure to third parties.

Appendix B.

Process for complaints that involve the Chief Executive Officer (CEO)

- Complaints concerning the CEO will be made directly to the Board Chair.
- If the Board Chair is not available, the complaint will be made to another member of the Executive Committee (Alternate).
- The Board Chair or Alternate will be responsible for:
 - Informing members of the Executive.
 - With the support of the Director of Finance, retaining independent legal counsel to support the Chair and/or Executive Committee members to ensure compliance with applicable legal and procedural requirements.
 - With the support of the Director of Finance, retaining other professionals as recommended by legal counsel.
 - Keeping relevant parties informed as appropriate.
- The Director of Finance and Operations will be responsible for:
 - Retaining independent legal counsel.
 - Managing the contract with legal counsel which includes tracking and managing the costs associated with legal services and complaint resolution processes.
 - Managing the contract(s) with any additional professional support.

Ensuring that financial records related to these services are maintained accurately.