

Draft Policy for Creating a Respectful Workplace

Date Approved: _____

Policy# _____

This policy outlines commitments and responsibilities for creating and maintaining a work environment which is free from bullying, harassment, violence, and discrimination. It applies to all employees and non-employees, including trustees, contractors, suppliers, and consultants.

This policy also applies to all activities, whether they occur during or outside of regular working hours, and whether they occur on or off Gabriola Volunteer Fire Department property, so long as such activities are reasonably associated with the workplace, including social and business development activities.

POLICY

The Gabriola Fire Protection Improvement District (GFPID) and the Gabriola Volunteer Fire Department (GVFD) are committed to creating and maintaining a work environment in which all individuals are treated with respect and dignity. Our work environment must be safe, promote equal opportunities, prohibit discriminatory practices and be free of harassment and violence.

All employees and trustees are responsible for conducting themselves in a manner that is consistent with the policy and related policies, such as the Code of Conduct. Violation of this policy by an employee may result in disciplinary action up to and including termination of employment.

Nothing in this policy is intended to limit or constrain the reasonable exercise of management functions in the workplace.

An employee also retains the right to exercise any other legal avenues available.

PURPOSE

The purpose of this policy is to ensure the work environment promotes integrity, trust, mutual respect, cooperation, and understanding, that is free from:

- Discrimination on any legally protected or prohibited grounds.
- Workplace harassment (including reprisal) for any reason, including because of any protected or prohibited grounds.
- Bullying and psychological harassment.
- Violence.

Maintaining a respectful work environment depends greatly upon integrity, trust, mutual respect, cooperation, and understanding of all employees and trustees. GFPID and GVFD have zero tolerance for attitudes and behaviours that undermine this goal.

DEFINITIONS

Complainant	means person(s) who makes a complaint under this policy. This does not necessarily mean the person(s) who has experienced discrimination, violence, bullying, or harassment.
Discrimination	means the treatment, consideration of, or distinction in favor of or against an individual based on their race, religious beliefs, color, gender, gender identity, disability, age, ancestry, place of origin, marital status, family status, sexual orientation, or any other ground protected under applicable human rights law.
Domestic Violence	means violence upon a person in the workplace where a personal relationship with another person in the workplace exists. For example, a spouse or former spouse, current or former intimate partner or a family member. This includes physical harm, attempting, or threatening physical harm. In these situations, domestic violence is considered workplace violence.
Harassment	means engaging in a course of upsetting comments or conduct against a person in a workplace that is known or ought reasonably to be known to be unwelcome. Harassment under this policy includes, but is not limited to, harassment on any protected or prohibited ground.
Protected Ground / Prohibited Ground	means a fundamental human right that is protected under the law and prohibits discrimination in employment decisions and in the workplace. Such as race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income, and sexual orientation.
Psychological Harassment / Bullying	means unwanted conduct, comments, actions, or gestures that affect an employee's dignity, psychological or physical health, and well-being. Psychological harassment or bullying may result from the actions of one individual towards another or from the behaviour of a group. Often characterized by insulting, hurtful, hostile, vindictive, cruel, or malicious behaviour that undermine, disrupt, or negatively impact a person's ability to do their job, resulting in a harmful work environment.
Record	means documented business transactions, decisions, and activities such as notes, memos, agendas, minutes, training records, and forms.
Reprisal	means any retaliation, reprisal, or other form of negative action taken against an individual for having: (i) made a complaint under this policy (whether on behalf of oneself or another individual); (ii) participated or co-operated in any investigation under this policy; or (iii) been associated with a person who has made a complaint or who has participated or co-operated in any investigation under this policy.
Respectful	means showing regard for others, being considerate in your interactions and recognizing the inherent value of each individual in the workplace.

Respondent	means the person(s) who is accused of breaching this policy. It refers to the person(s) who has the right to respond to the complaint.
Sexual Harassment	means: engaging in a course of vexatious comment or conduct against a person in a 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; or (ii) making a sexual solicitation or advance where the person making it is in a position to confer, grant, or deny a benefit or advancement to the worker and the person knows or ought reasonably to know the solicitation or advance is unwelcome.
Violence	means the exercise of physical force by a person against another person or property, that causes or could cause physical injury to a person or damage to property. An attempt to exercise physical force against a person or damage property that could cause physical injury to the person or damage to property. A statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against them, that could cause physical injury to a person or intentional acts that cause or threaten to cause property damage.
Workplace	means any place where the GVFD/GFPID does business or where work-related activities are conducted. It includes but is not limited to: the physical work premises; work-related social functions and business development events (e.g., parties, golf games); incident scenes; work-related travel; over the phone, via email or other electronic method if the communication is work-related; and elsewhere if the person is there because of work-related responsibilities or a work-related relationship.

RESPONSIBILITY

Gabriola Fire Protection Improvement District/Gabriola Volunteer Fire Department

- Ensure compliance with this policy,
- Investigate and deal with all known incidents of workplace discrimination and harassment in a manner that is fair, timely, and appropriate in the circumstances in accordance with the policy and applicable laws,
- Establish and monitor all required oversight and, if applicable committees,
- Provide appropriate education, training and instruction on this policy; and
- Review and evaluate this policy, communicate evaluation results, and acknowledge successes and opportunities for improvement.

Fire Chief and Deputy Chief

- Be aware of what constitutes harassment, discrimination and violence and the procedures in place for dealing with complaints,
- Foster a positive and respectful workplace,
- Monitor the work environment to ensure a respectful workplace,
- Maintain records as required,
- Take immediate action pursuant to this policy when a complaint is received; and

- Take immediate action pursuant to this policy when they become aware of a disrespectful environment.
- Receive all incidents or complaints and support the appropriate party to address and or investigate, if required,
- Facilitate resolutions, mediation and investigations as required,
- Ensure all personnel actions and related programs (including, but not limited to, recruiting, hiring, training, testing, compensation, promotion, transfers, benefits, and all other terms and conditions of employment) will be carried out in compliance with this policy,
- Maintain records as required,
- Maintain confidentiality and provide support and assistance to anyone who requires it; and
- Prepare, maintain and facilitate the review of the policy and related programs at least one time per year, in consultation with the Board

Employees/Trustees

- Comply with this policy and all supporting policies, procedures, and programs at all times,
- Not demonstrate, engage in or ignore behaviour that breaches this policy or any applicable laws,
- Ensure their behaviour is respectful and appropriate at all times,
- Promptly report any incident they witness or have knowledge of that breaches this policy to the Fire Chief, and Deputy Chief. Complaints against the Fire Chief or any elected trustee should be directed to the Board Chair (or any trustee if the complaint is against the Board Chair).
- Participate in any training or information sessions provided by the GFPID or GVFD and,
- Cooperate and maintain confidentiality throughout the complaint, investigation and communication process.

PROHIBITED CONDUCT

The GFPID and the GVFD will not tolerate discrimination based on any prohibited grounds by or against any employee, potential employee or contractor. This means that all personnel actions (including, but not limited to, recruiting, hiring, training, testing, compensation, promotion, transfers, benefits, and all other terms and conditions of employment) will be carried out without regard to any prohibited ground.

DISCRIMINATION

Employees shall never engage in or tolerate any form of discrimination in the workplace. Human rights law protects people from discrimination in specific situations. Under human rights law, everyone has the right to be free from discrimination on the basis of protected grounds. Discrimination may be intentional or unintentional. It may involve direct discriminatory actions or rules, practices, or procedures that have the effect of disadvantaging certain groups. Examples include, but are not limited to:

- Not hiring women who wish to start a family.
- Not accepting job applications from individuals from certain ethnic groups.
- Not being promoted due to race or colour.

- Refusing to work with someone due to their age, gender, or sexual orientation

HARASSMENT

The GFPID and the GVFD will not tolerate harassment of any kind in the workplace by or against any person. This includes workplace harassment by an employee against another employee and/or against any third party and, conversely, by any third party against any employee.

Employees and trustees shall never engage in or tolerate any form of harassment as defined in the policy. Harassment can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating, or demeaning to a person or group of people in the workplace. It can also include behaviour that intimidates, isolates, or discriminates against the targeted individual(s). Examples of harassment include, but are not limited to:

- Making remarks, jokes, or innuendos that demean, ridicule, intimidate, or offend.
- Displaying or circulating offensive pictures or materials in print or electronic form.
- Spreading malicious gossip or rumours.
- Sabotaging work.
- Personal attacks on an individual's private life or personal traits.
- Repeated offensive or intimidating phone calls or emails.
- Targeted social isolation.
- Sexual harassment.
- Psychological harassment or bullying.

SEXUAL HARASSMENT

Employees and trustees shall never engage in or tolerate sexual harassment. Sexual harassment can involve unwelcome words or actions associated with sex, sexual orientation, gender identity, or gender expression that are known or should be known to be offensive, embarrassing, humiliating, or demeaning to a person or group of people in a workplace. It can also include behaviour that intimidates or isolates individual(s). Examples of sexual harassment include, but are not limited to, unwelcome and unwanted:

- Sexual advances (whether or not they involve physical touching) and requests for sexual favours, especially where submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- Sexual jokes, written or verbal references to sexual conduct, or gossip regarding sexual matters.
- Comments about, or inquiries into, an individual's physical characteristics, mannerisms, conformity to sex-role stereotypes, sexual activity, deficiencies, or prowess, including verbal and written communications such as emails, text messages and voicemail messages.
- Sending or displaying sexually explicit or suggestive objects, pictures, posters, cartoons, emails, text messages, memos or notes containing sexual references.
- Sexually suggestive or insulting comments or gestures, leering, or whistling.
- Unnecessary physical contact such as assault, touching, patting, pinching, or brushing up against someone's body with any underlying sexual connotation.

- Demanding physical contact such as hugs or demanding dates.
- Any other conduct of a sexual nature that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- Where the conduct or behaviour includes inappropriate sexual touching, this may also constitute a criminal offence such as sexual assault.

PSYCHOLOGICAL HARASSMENT OR BULLYING

Employees and trustees shall never engage in or tolerate psychological harassment or bullying. Psychological harassment or bullying may result from deliberate intent or not. It is essential to recognize that the impact of the behaviour on others, not the intent, determines whether psychological harassment or bullying has occurred.

Psychological harassment or bullying can take many forms and may occur when the behaviour or conduct:

- Would reasonably tend to cause offence, discomfort, humiliation, or embarrassment to another person or group.
- Has the purpose or effect of interfering with a person's work performance.
- Creates an intimidating, threatening, hostile, or offensive work environment.

Examples of behaviour that may signify psychological harassment or bullying include, but are not limited to:

- Insulting or derogatory remarks, gestures, or actions.
- Defamation
- Rude, vulgar language or gestures.
- Malicious rumours, gossip, or negative innuendo.
- Verbal aggression or abuse.
- Shouting, yelling, raised voices.
- Name-calling.
- Glaring or staring
- Outbursts or displays of anger directed at others.
- Targeting an individual through persistent, unwarranted criticism.
- Public ridicule.
- Verbal, written, or physical threats and intimidation.
- Undermining or deliberately impeding a person's work
- Misuse of power or authority.
- Isolation or exclusion from work-related activities.

What is not considered workplace bullying and harassment?

Bullying and harassment should not be confused with reasonable management action, such as decisions regarding job duties, workloads, deadlines, transfers, reorganizations, work instructions or feedback, work evaluation, performance management, and/or disciplinary actions. However, the Fire Chief, the Deputy Chief and the Board should ensure performance

problems are identified and addressed in a constructive, objective way that does not humiliate or intimidate.

VIOLENCE

The GFPID and the GVFD are committed to preventing workplace violence and are ultimately responsible for health and safety. We will take whatever steps are reasonable to protect people in our workplace from workplace violence from all sources.

Employees and trustees shall never engage in or tolerate workplace violence. Workplace violence includes that of a domestic nature. Examples of violence include, but are not limited to:

- Shaking a fist in a person's face.
- Wielding a weapon or an object that could be reasonably perceived to be a weapon.
- Hitting or trying to hit a person.
- Throwing an object at a person.
- Kicking an object a person is standing on.
- Trying to run down a person using a vehicle or equipment.
- Domestic violence that would likely expose a person to physical injury in the workplace.
- Verbally threatening to attack a person.
- Leaving threatening notes or sending threatening emails to a person.
- Physical or sexual assault.
- Intentional property damage.

RESOLUTION

The GFPID and the GVFD are committed to providing an effective mechanism for reporting and resolving complaints of workplace harassment, discrimination and violence in a fair, timely, and transparent manner. We are committed to providing a work environment where all people are safe and are always treated with respect and dignity.

The GFPID and the GVFD appreciate that the most challenging step in filing a complaint is often deciding to report in the first place. Please note that the law requires employers to investigate claims of workplace harassment, violence, and discrimination upon learning of such incidents.

There are several ways to resolve conflicts and disputes under this policy. Depending on the circumstances, one or more of the following approaches should be taken.

REPORTING VIOLENCE

Firefighters

Any person who has been a victim of or has witnessed or is aware of workplace violence must immediately report the incident to their Platoon Officer, the Fire Chief, or the Deputy Chief. If they are not comfortable reporting the incident to the above, they shall report it to any Officer or trustee.

For complaints against the Fire Chief, the complainant should contact the Board Chair or an officer who will advise the Chair on their behalf.

Staff, Trustees, Contractors, Public

Complaints by staff, contractors, or the public should be directed to the Fire Chief or the Board Chair (any trustee if the complaint is against the Board Chair). A report of violence will be handled through the formal complaint processes outlined in this policy.

INFORMAL PROCESS

A person who considers that they have been subjected to prohibited conduct under this policy or who witnesses or is subject to retaliation for having brought forward a complaint of workplace harassment, bullying, discrimination or violence, is encouraged to bring the matter to the attention of the person(s) responsible for the conduct.

The complainant should, if possible:

- Approach the respondent and advise that person to stop the offensive conduct;
- Explain to the respondent why the conduct is offensive. This can be done verbally, by letter, or by giving or sending a copy of this policy; and/or
- Document the complaint (what steps you took to inform the respondent, dates, etc.) and keep a record detailing the incident (write down what was said or done, who might have witnessed it, and the date, time and location).

If the complainant is uncomfortable bringing the matter directly to the attention of the person(s) responsible, or if such an approach is attempted and does not produce a satisfactory result, the complainant should contact

- Firefighters - their Platoon Officer, the Fire Chief, or the Deputy Chief to discuss further informal resolution options.
- Staff, Trustees, Contractors, Public - Fire Chief or the Board Chair (any trustee if the complaint is against the Board Chair).

Those options may include:

- Third-party mediation to support a conversation and resolution between the parties.
- Facilitated problem-solving discussion between the parties.
- Submitting a formal complaint.
- Initiating an investigation.

FORMAL COMPLAINT

If a complaint cannot be satisfactorily resolved directly with the respondent, or the nature of the complaint warrants it, a formal complaint can be pursued. The complainant will be informed of the process for investigating the complaint.

In situations where the respondent's conduct may constitute a criminal offence, the appropriate law enforcement authorities will be notified.

To be clear, if there is a complaint under this procedure or the Fire Chief, the Deputy Chief, or the Board otherwise becomes aware of an incident of workplace harassment, bullying, discrimination, or violence, the GFPID and GVFD are required to conduct an investigation that is appropriate in the circumstances, even where the Complainant wishes to remain anonymous. This will generally include obtaining evidence from the Complainant, Respondent, and any witnesses who might have evidence related to the incident.

Anyone can report incidents of workplace harassment, discrimination, or violence either verbally or in writing. When making a written complaint, the following information should be included:

- Name of the person(s) who has allegedly experienced the workplace harassment, bullying, discrimination, or violence, and their contact information;
- Name of the alleged Respondent(s) and position and contact information (if known);
- Names of any witnesses or other persons who may have relevant information to provide about the incident and their contact information (if known);
- Details of what happened, including the date, frequency, and location of each incident, including;
- Any supporting documents that the Complainant(s) may have in their possession that are relevant to the complaint.
- List any supporting documents that any witness, other person, or Respondent may have in their possession that are relevant to the complaint.

Where a verbal complaint is made, the above information will be collected from the Complainant and recorded as part of the investigation process, or the Complainant will be requested to provide the investigator with the above information in writing.

INVESTIGATION PROCESS

A complaint of workplace harassment, discrimination, or violence will be assigned to a committee comprising of:

- For Firefighter complaints – two officers
- For Staff, Trustees, Contractors, Public complaints - three trustees

The committee will:

- Meet with the complainant, seek specific information on the complaint in writing, and ensure that the complainant fully understands the investigation process. The committee will document the meeting;
- Except in situations where it may be unsafe to do so, inform the alleged respondent that a complaint has been made, provide a copy of the complaint, and ensure that the alleged respondent fully understands the investigation process. A written response from the alleged respondent will be requested;
- In situations where the respondent's conduct may amount to a criminal offence, notify the appropriate law enforcement authorities;
- Assume responsibility for conducting an investigation or deciding to hire a third-party Human Resources company to investigate

- Prepare or receive a written report at the conclusion of the investigation and send it to the Fire Chief or Board of Trustees
- Maintain confidentiality to the extent practicable and appropriate under the circumstances.

The Fire Chief or the Board will review the investigation report and decide on appropriate action, including disciplinary action, to be taken. If the investigation confirms allegations of workplace harassment, bullying, discrimination, or violence, immediate and appropriate corrective action will be taken to end it, make the complainant whole by restoring lost benefits or opportunities, where appropriate, and prevent the harassment, bullying, discrimination, or violence from recurring. The complainant and alleged respondent will be informed, in writing, of such action by the Fire Chief or Board. Disciplinary and corrective action may be taken against a complainant if the complaint is found to be frivolous or malicious.

CONFIDENTIALITY

The GFPID and the GVFD acknowledge and are sensitive to the psychological and physical effects of workplace harassment, bullying, discrimination, and /or violence on persons subjected to such harassment, discrimination, bullying, or violence, and on persons alleged to be the respondent.

To protect the interests of the complainant and the alleged respondent, and any others who report incidents of workplace harassment, bullying, discrimination or violence, confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances.

All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material, will be regarded as confidential by the GFPID and the GVFD except where disclosure is required by a disciplinary or other remedial process, or as otherwise required by law

PROTECTION FROM REPRISAL

The GFPID and the GVFD will not tolerate any retaliation, reprisal, or other form of adverse action taken against an individual for having: (i) made a good faith complaint under this procedure (whether on behalf of oneself or another individual); (ii) participated or co-operated in any investigation under this procedure; or (iii) been associated with a person who has made a complaint, or who has participated or co-operated in any investigation under, this procedure. Such reprisal actions are prohibited by law and will result in serious disciplinary action, up to and including immediate termination of employment for cause.

BAD FAITH COMPLAINTS

This policy must never be used to make false, frivolous, vexatious, or malicious complaints against an employee, trustee, or third party. Deliberately making false, frivolous, vexatious, or malicious accusations of workplace harassment, bullying, discrimination, or violence, or providing false or misleading information in any resulting investigation, will result in serious disciplinary action, up to

and including immediate termination of employment for cause. Please note that an unproven allegation is not necessarily deliberately false.

There may be insufficient evidence to proceed, or while the Complainant may have had reason to believe that there was workplace harassment, discrimination, or violence, investigation results may not have borne out the complaint.

This policy will be reviewed annually. All employees and trustees will receive a copy.

I Hereby Certify that the foregoing is a true copy of Policy No. _____ as adopted by the District and sealed with the district seal on _____.

Fire Chief

Board Chair

HISTORY:

Approved	
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