
Procedure Title: Respectful Workplace Policy
Policy: 1900-21
Adopted: November 20, 2018
Amended:



The Village of Mannville (“The Village”) is committed to creating and sustaining a vibrant, healthy, safe and caring work environment.

PURPOSE

The purpose of this policy is to outline the minimum standards for creating a vibrant, healthy, safe and caring work environment.

POLICY

1.0. Scope/Exceptions

1.1. Scope

This policy applies to the following people and places:

People:

1. Village of Mannville employees, including job applicants;
2. Contractors providing service for or to The Village;
3. Suppliers delivering material to The Village;
4. Volunteers;
5. Members of Village Council; and
6. Members of the public who are accessing Village services or Village operated facilities.

Places:

1. Village buildings, facilities, sites, offices or work environment;
2. Locations visited by employees while traveling on Village related business;
3. Village related business including conferences, meetings, vendor/supplier or customer sites; and
4. Locations of work-based social gatherings.

1.2. Exceptions

None identified

2.0. Consequences of Non-Compliance

- 2.1. Any employee, who violates this policy, will be subject to appropriate disciplinary action, which may include termination of employment.

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- 2.2. Members of the public, visitors to Village facilities or individuals conducting business with The Village of Mannville, are expected to adhere to this policy. This includes refraining from inappropriate behavior towards employees, elected officials, and persons acting on behalf of The Village of Mannville. If inappropriate behavior occurs, The Village will take appropriate action to ensure a respectful workplace. This could include barring the person from facilities or discontinuing business with contractors or suppliers.

3.0. General Policy Statements

- 3.1. The Village of Mannville is committed to working in collaboration with its employees, and associations to create a respectful workplace by:
- 3.1.1. promoting and maintaining a common understanding of the expectations and behaviors considered appropriate and inappropriate in Village workplaces and in the delivery of, or access to, Village services, and;
 - 3.1.2. taking action to prevent and/or deal with inappropriate behavior wherever Village business is being conducted.
- 3.2. All people are to be treated with respect, honesty and dignity. Behavior and/or situations that run contrary to such treatment will not be tolerated.
- 3.3. The Village recognizes that conflicts, disagreements or inappropriate behaviors will occur. We expect these issues to be resolved in a manner that contributes to a healthy and productive workplace.
- 3.4. The Village of Mannville promises to respond quickly to complaints about inappropriate behavior in the workplace, and to resolve issues speedily, openly, honestly and with appropriate consideration for privacy and confidentiality.

4.0. Criminal Offences

- 4.1. Where behavior may constitute a criminal offence, The Village will notify the RCMP.

5.0. False or Frivolous Complaints

- 5.1. Complaints that are found to be false, frivolous or made in bad faith will not be tolerated and will be subject to appropriate disciplinary action or denial of service.

6.0. Retaliation

- 6.1. Everyone has the right to report, in good faith, incidents of discrimination, harassment or inappropriate behavior without fear of retaliation.

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- 6.2.** Retaliation by any person against anyone involved in informal or internal or external formal complaint processes will not be tolerated and will be subject to discipline, up to and including dismissal or denial of Village services.

7.0. Appropriate Workplace Behaviors

- 7.1.** It is not possible to itemize every instance of appropriate or inappropriate behavior. In general terms, the kinds of behaviors that are to be encouraged are those which support and create a respectful workplace and its related business objectives.

Examples include:

- Being polite, courteous and respectful of others.
- Using common greetings, farewells or brief enquiries about others well-being which are an acknowledgement of others as unique individuals.
- When reviewing others' ideas, suggestions or work, identifying what is positive or good about the proposal as well as where it can be improved,
- Treating others equitably and fairly.
- Listening to what others have to say.
- Being open-minded to others' ideas, comments and suggestions.
- Seeking input and the active involvement of appropriate people in planning, decision-making and implementing initiatives.
- Ensuring that decision-making takes into account relevant factors, is fair and is seen to be fair.
- Recognizing and valuing the diversity among workgroup members, customers and citizens.
- Willingly and sincerely apologizing to people when something you said or did may have offended them.

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8.0. Inappropriate Workplace Behaviors

8.1. Inappropriate behavior is that which is objectionable and/or unwelcome to an individual. Such behavior serves no valid work-related purpose and can create a poisoned work environment.

8.2. There are two categories of inappropriate behavior addressed in the policy. They are:

- Disrespectful behavior
- Discrimination / harassment

8.2.1. Disrespectful Behavior:

Disrespectful behavior is:

- Vexatious: conduct, comments, actions or gestures which are humiliating, offensive, hurtful or belittling.
- Repeated: conduct, comments, actions, or gestures which when taken in isolation seem minor but when repeated can lead to a conclusion of harassment.
- A single incident of sufficient seriousness to have a significant impact on the recipient or the work environment.
- Hostile or unwanted.
- Affecting the employee's dignity, wellbeing, or physical integrity.
- Resulting in a harmful or poisoned work environment.

Examples of disrespectful behavior include, but are not limited to:

- written or verbal comments, actions, gestures or other behaviors or "jokes" which are humiliating, offensive, hurtful or belittling;
- bullying or intimidation;
- abusing authority;

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- yelling or shouting (except where intended to alert another to danger);
- deliberately excluding an employee from relevant work activities or decision making;
- decision-making which is influenced by factors which have no work-related purpose; and
- attempting to discredit an employee by spreading false information about him/her.

8.2.2. Discrimination / Harassment:

Behaviors practices, policies or systems which have a direct or adverse impact based on: age, ancestry, color, family status, marital status, mental or physical disability, place of origin, race, religious beliefs, sexual orientation, source of income, or gender (including pregnancy and sexual harassment), or any other ground covered by the *Human Rights Act*.

Discriminatory or harassing behaviors include comments or actions which are unwelcome, that are based on a prohibited ground of discrimination and result in a negative or poisoned work environment.

Examples include:

- Any previously described inappropriate behavior that is based on a prohibited ground;
- Sexual harassment includes comments or conduct such as: unwelcome advances, requests, comments, physical contact such as unnecessary touching, pinching or jostling or gestures that are suggestive or persistent staring that are of a sexual nature. Implied or expressed threats of reprisal for refusal to comply with a request of a sexual nature or implied or expressed 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.; and

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Discriminatory practices, policies, or systems include:

- Denial of equitable treatment in hiring or in the terms, conditions, or benefits of employment;
- Access to or the processes by which people use Village related services, programs and/or facilities, and/or; and
- Failing to accommodate an individual(s) protected under the *Alberta Human Rights Act*.

9.0. Employee Responsibilities

- 9.1.** Every employee has the right to be treated in a fair, reasonable and respectful manner.
- 9.2.** For this to be a normal part of our environment, we must find strategies which prevent our differences from escalating and resolve them quickly when they do occur.
- 9.3.** As an employee of The Village of Mannville, you are responsible for creating a respectful workplace environment by:
 - 9.3.1.** Ensuring your behavior is respectful and appropriate at all times;
 - 9.3.2.** Accepting responsibility for your own actions, reactions, and behaviors and your impact on others;
 - 9.3.3.** Making your concerns known promptly if something is troubling you;
 - 9.3.4.** Being a part of the solution; and
 - 9.3.5.** Immediately informing a supervisor if there is an imminent threat or risk of violence that could compromise an individual's safety.

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10.0. Leadership (Council) Responsibilities

10.1. As a leader at The Village you have additional responsibilities to create and sustain a respectful workplace environment. They include:

10.1.1. Being a role model for corporate behavior standards such as the Respectful Workplace Policy and the Council Code of Conduct Bylaw;

10.1.2. Ensuring awareness of and compliance with the Respectful Workplace Policy in your area of responsibility;

10.1.3. Taking appropriate action in a prompt, impartial and confidential manner when Respectful Workplace Policy issues come to your attention;

10.1.4. Supporting all parties involved in resolving issues under the Respectful Workplace Policy, and

10.1.5. Making sure no person suffers reprisal because of making a complaint, or for providing information.

Procedures:

11. Complaint Resolution – Informal Process

11.1 Direct Response

11.1.1 Where safe and reasonable to do so, any employee who believes that they are subject to workplace harassment should, as a first (direct) response, advise the other person that the behavior is offensive and request that the behavior stop.

11.1.2 Where circumstances do not permit this course of action or where a direct response has not prevented a recurrence of the workplace harassment, the employee should inform their supervisor. The supervisor will review the situation and, where necessary, take appropriate action. If the other person is the supervisor the employee should inform the next level of management (CAO).

11.2 Facilitated Discussion

11.2.1 The CAO may choose to use facilitated discussion as a resolution tool.

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11.3 Mediation

11.3.1 Mediation is a process that allows the parties involved to discuss the behaviors, reactions and options for resolution in a non-judgmental way. Formal mediation requires the agreement of both parties and is facilitated by an outside party.

12. Complaint Resolution – Formal Process

12.1 Written Complaint

12.1.1 A formal written complaint may be made to the immediate Supervisor. The complaint, at a minimum, will specify the details of the allegation, including:

- 12.1.1.1** Name, title, and location of the respondent
- 12.1.1.2** A description of the action/circumstances of the complaint
- 12.1.1.3** Date(s) of the incident(s)
- 12.1.1.4** Name(s) of witness(es) if any.

12.1.2 If the complaint is against a Department Head, it can be filed with the CAO. If the complaint is against the CAO, it can be filed with Council.

12.1.3 Department Head acknowledge, in writing, receipt of a complaint.

12.1.4 Department Head send formal written complaints to the CAO for an assessment on whether the complaints fits within the mandate of the Policy and for determination on whether there is *prima facie* evidence to support the complaint.

12.1.5 Department Head advise the Complainant and the Respondent, separately, in writing, of the result of the assessment and next steps if necessary.

12.1.6 Department Head may take interim measures, such as separating employees or restricting contact pending the investigation of a formal complaint. These measures are not disciplinary and do not confirm the validity of the complaint.

13. Investigation

13.1 Investigations are authorized by Department Head, upon recommendation of the CAO. An investigation is only recommended under this Policy if the complaint fits within the mandate of the Policy and it is determined that *prima facie* evidence exists.

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13.2 The investigator determines and assesses the complaint. The investigation process is conducted following the principles of procedural fairness and natural justice. All investigations done under this Policy will be interpreted, administered and applied using a reasonable person standard. The reasonable person standard is whether or not a reasonable person, roughly in the same situation as the complainant, would judge harassment to have occurred as a result of a behavior or pattern of behavior.

13.3 The investigator provides a written report to the CAO and the Department Head that includes findings. It does not include recommendations.

14. Outcome of Investigation

14.1 The CAO and the Department Head consider the investigation findings and determine, if necessary, what appropriate action should be taken. Parties involved will be notified as required.

14.2 Where workplace harassment is found to have occurred, possible actions include, but are not limited to:

14.2.1 education and training;

14.2.2 written reprimand;

14.2.3 disciplinary suspension;

14.2.4 dismissal;

14.2.5 other remedial measures applicable to specific circumstances.

14.3 The CAO and/or Department Head monitor the situation following resolution to ensure implementation.

15. Retaliation

15.1 Retaliation, reprisals or threats as a result of filing a complaint or being party to the investigation of a complaint are subject to disciplinary measures including, but not limited to:

15.1.1 warning or written reprimand;

15.1.2 demotion;

15.1.3 suspension;

15.1.4 dismissal.

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16. Confidentiality & Records Management

- 16.1** All matters and material relating to a workplace harassment complaint are to be treated with the utmost confidentiality by all participants involved and are subject to a strict-to-need-know basis. Any employee who fails to comply may be subject to disciplinary measures.
- 16.2** Information provided during the course of the investigation may be disclosed in the event of an arbitration; a court case; a *Freedom of Information and Protection of Privacy Act* application; or if deemed necessary for due process.
- 16.3** The investigation report and related documentation are retained in a secure location by the CAO in accordance with the Village's Records Retention Policy.
- 16.4** No reference to a complaint or investigation is placed on an employee's personnel file unless formal disciplinary action has been implemented.
- 16.5** Investigation files may be reopened where:
- 16.5.1** new and relevant information is provided to the investigators, the Department Head or the CAO that was not available at the time of the original investigation.
 - 16.5.2** retaliation is alleged to have occurred; or
 - 16.5.3** a similar allegation is made against the individual.

17. END OF PROCEDURE