

**HUMAN RESOURCES POLICIES AND PROCEDURES**

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<b>Document Name:</b>	RESPECTFUL WORKPLACE POLICY		
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<b>Amendment:</b>	Formally named Workplace Anti-Harassment and Workplace Violence Policy		

**1.0 PURPOSE**

The purpose of this policy is to promote a respectful, healthy and well-functioning workplace as well as to address disrespectful conduct in the workplace. It affirms employee and manager responsibility and accountability for workplace conduct, and builds organizational capacity to manage conflict in a constructive and respectful way.

**2.0 SCOPE**

This policy applies to all paid and unpaid individuals working for the organization including: front line employees, temporary employees, contract service providers, contractors, all supervisory personnel, supervisors, Directors.

**3.0 POLICY**

Yukon Sourdough Rendezvous Society is strives to create a respectful and inclusive workplace that values and appreciates the diversity and contributions of all its employees, Directors and volunteers.

The Yukon Sourdough Rendezvous Society will not tolerate any form of harassment, discrimination, acts or threats of physical violence, including intimidation, and/or coercion, whether engaged in by fellow employees, supervisors, officers, directors, or contract service providers of the organization, against job candidates and employees, Directors, and volunteers on any grounds included in this policy. This commitment applies to such areas as training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

The Yukon Sourdough Rendezvous Society strictly prohibits violence in the workplace. We are committed to providing a safe and healthy work environment free from violence, threats of violence, harassment, intimidation and disruptive behaviour for all our employees. We will take every reasonable precaution and implement measures to prevent violence and protect all employees from potentially violent situations. As such, this policy prohibits physical or verbal threats – with or without the use of weapons –intimidation, or violence in the workplace to minimize risk of injury or harm resulting from violence to employees. Specifically, if the organization is aware that domestic violence is likely to expose an employee to a workplace physical injury, every reasonable precaution will be implemented to protect the individual.

Weapons are strictly prohibited from all organization property; violators are subject to discipline and may be reported directly to the police. The Yukon Sourdough Rendezvous Society firmly believes that by working together with our employees, the risk of workplace violence can be minimized.

A respectful workplace enhances the well-being of employees, improves job performance and inspires collaboration, all of which result in better service to the public.

All employees in the Society share in the collective responsibility to promote a respectful workplace, address incidents of disrespectful conduct when they occur, and participate in processes under this policy.

All employees, including supervisors and directors are responsible for modeling respectful conduct in the workplace and are accountable for appropriate intervention when disrespectful conduct is occurring.

Early intervention and non-adversarial approaches to managing workplace conflict and disrespectful conduct prevent escalation.

Disrespectful conduct may lead to discipline up to and including termination of employment.

It is also a violation of the Respectful Workplace Policy for anyone to knowingly make a false complaint of harassment or violence, or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and/or corrective action, up to and including termination of employment

**Definitions:**

***Respectful Workplace:*** A workplace that is characterized by:

- Spirited and respectful dialogue about workplace issues, which welcomes diverse perspectives
- Inclusion of people with different ancestries, backgrounds, religions, cultures, sexual orientations, and abilities;
- Constructive resolution of differences where workplace conflict is recognized as natural and is managed through collaborative processes;
- Polite behaviour where employees are courteous and considerate toward others;
- Safety from disrespectful, discriminating, and bullying behaviour, and from repercussions for taking action to deal with disrespectful conduct in the workplace; and
- Support for individuals to learn and practice personal conflict resolution and respectful workplace skills.

***Disrespectful conduct:*** Behaviour by an individual directed against another individual that a reasonable person would consider disrespectful. For the purposes of this policy, disrespectful conduct is understood to be on a continuum from mild to grievous to illegal, and includes but is not limited to:

- Gossiping;
- Embarrassing practical jokes;
- Swearing and yelling;
- Inappropriately interfering in another individual's work;
- Ridicule;
- Making derogatory comments to or about another individual;
- Derogatory gestures;
- Shunning;
- Bullying;
- Abuse of authority;
- Discriminatory conduct contrary to the Yukon Human Rights Act, including sexual harassment; and
- Physical assault.

Disrespectful conduct does not include the proper use of authority related to the exercise of managerial responsibility: including, providing advice and assigning work, performance evaluation and appropriate discipline.

***Discriminatory conduct contrary to the Yukon Human Rights Act:*** Behaviour towards another employee or group of employees that treats them unfavorably on any of the grounds set out in the Yukon Human Rights Act, as amended, and which at the date this policy came into effect were:

- ancestry, including colour and race;

- national origin;
- ethnic or linguistic background or origin;
- religion or creed, or religious belief, religious association, or religious activity;
- age;
- sex, including pregnancy, and pregnancy related conditions;
- sexual orientation;
- mental or physical disability;
- criminal charges or criminal records;
- political belief, political association, or political activity;
- marital or family status;
- source of income; and
- actual or presumed association with other individuals or groups whose identity or membership is determined by any of the grounds listed above.

**Sexual Harassment:** Conduct, comment, gesture, display or contact of a sexual nature that might reasonably be expected to cause offense or humiliation, or that might reasonably be perceived as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

**Workplace Violence:** Behaviour by an individual directed against another individual that a reasonable person would interpret to carry the potential to harm or endanger the safety of others. Such behaviour may include, but is not limited to:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- An attempt to exercise physical force against a worker, in a workplace, that causes or could cause physical injury to the worker
- A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that causes or could cause physical injury to the worker.
- Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault)
- Any threat, behaviour or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property
- Disruptive behaviour that is not appropriate to the work environment (e.g., yelling, swearing)

**Abuse of Authority:** Improper use of power that flows from a supervisor or manager's position of authority over an employee: in particular, intimidation, threats or coercion, which could reasonably be expected to endanger an employee's ability to perform his or her job, threaten the employee's economic livelihood, or significantly affect his or her physical or emotional well-being. It is not abuse of authority to exercise managerial responsibility legitimately. Examples of abuse of authority include:

- Removing areas of responsibilities arbitrarily;
- Constantly changing work guidelines;
- Establishing impossible deadlines that will set up the individual to fail;
- Withholding necessary information or purposefully giving the wrong information;
- Assigning unreasonable duties or workload which are unfavourable to one person (in a way that creates unnecessary pressure);
- Underwork - creating a feeling of uselessness;
- Criticizing a person persistently or constantly; and
- Blocking applications for training, leave or promotion.

**Bullying:** Repeated or systematic assertion of power through aggressive behaviour – physical, verbal or psychological – including shunning, which would be seen by a reasonable person as intending to belittle, intimidate, coerce or isolate another person or group of people. Key elements of bullying include: repetition, duration, escalation and power disparity. Examples of workplace bullying include:

- Spreading malicious rumours, gossip, or innuendo that is not true;

- Excluding or isolating someone socially;
- Intimidating a person;
- Undermining or deliberately impeding a person's work;
- Physically abusing or threatening abuse;
- Making jokes that are 'obviously offensive' by spoken word or e-mail;
- Intruding on a person's privacy by pestering, spying or stalking;
- Yelling or using profanity;
- Belittling a person's opinions; and
- Tampering with a person's personal belongings or work equipment.

## **4.0 PROCESS**

### **4.1. Employee/Supervisory Roles in Maintaining a Positive Work Environment**

4.1.1. As an employee of The Yukon Sourdough Rendezvous Society, you have the following responsibilities to our workplace. We trust that all of our employees will help us eliminate harassment and violence from our workplace. All employees are responsible for preventing and reporting acts of harassment and violence that threaten or perceive to threaten a safe work environment.

4.1.2. If you are a co-worker who has witnessed harassment or violence in the workplace you are encouraged to:

- a. Incidents of violence in the workplace must be reported immediately to a supervisor or the HR Committee
- b. Inform the harassed person that you have witnessed what you believe to be harassment or violence and that you find it unacceptable. Support is often welcome. If that person does not feel that they have been harassed, then normally the incident should be considered closed.
- c. Inform the harasser(s) that you have witnessed the act(s) and find it unacceptable.
- d. Advise the harassed person to report the incident to their Supervisor.
- e. Legally, management is responsible for creating and maintaining a harassment free workplace.
- f. Supervisors must be sensitive to the climate in the workplace and address potential problems before those problems become serious.
- g. If a Supervisor becomes aware of harassment or violence in the workplace and chooses to ignore it, that Supervisor and the Organization risk being named co-respondent in a complaint and may be found liable in legal proceedings brought about by the complainant and/ or local human rights authorities.

4.1.3. When an employee has asked their supervisor to deal with a harassment or violence incident, the supervisor shall:

- a. Support the employee without prejudging the situation.
- b. Work with the employee and document the offensive action(s) and have the employee sign a complaint.
- c. Contact their superior and HR Committee and provide details of the incident on behalf of the employee.
- d. Consult with other parties (i.e. Legal Counsel, Health & Safety consultants, Employee Assistance Provider, Human Rights office, Local Police Services)
- e. Take all reasonable and practical measures to minimize or address risks identified by the incident
- f. Document the incident, its investigation, and corrective action taken

- g. Take all reasonable and practical measures to protect workers, acting in good faith, who report workplace violence or act as witnesses, from reprisal or further violence.
- h. Submit a report of the incident to Yukon WCB (Note: Yukon requirement) where an employee incurs a lost time injury as a result of violence in the workplace.

4.1.4. The Yukon Sourdough Rendezvous Society forbids harassment, discrimination or violence in the workplace. This includes all areas of The Yukon Sourdough Rendezvous Society facilities as well as off-site work locations such as conferences, seminars, and social events. Harassment or violence that occurs outside the workplace but has repercussions in the work environment adversely affecting employee relationships may also be defined as workplace harassment or violence. Anyone found engaging in these behaviours is subject to disciplinary action up to and termination and the pursuit of legal action.

#### **4.2. Risk of Violence**

- 4.2.1. The Society recognizes its duty to provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour if:
- a. The worker can be expected to encounter that person in the course of his/her work and
  - b. The risk of workplace violence is likely to expose the worker to physical injury
  - c. The organization will only disclose personal information that is deemed reasonably necessary to protect the worker from physical harm

#### **4.3. Domestic Violence**

4.3.1. Any employee who believes that domestic violence may occur in the workplace that would likely expose the employee or another employee to physical injury should report the matter to his/her supervisor or the Executive Director. The Yukon Sourdough Rendezvous Society recognizes and respects the sensitivity and confidential nature of such information. The Yukon Sourdough Rendezvous Society is committed to reducing the risk of domestic violence occurring in the workplace, but we need the help of all employees. Employees who believe that they are at risk of being subjected to domestic violence will be supported by their supervisor and the Executive Director and will be provided with appropriate and confidential support as deemed appropriate. The Yukon Sourdough Rendezvous Society recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

#### **4.4. Workplace Coordinator**

4.4.1. For the purposes of this policy the Executive Director (or a specific designate) shall act as a Workplace Coordinator with respect to workplace violence and harassment issues

#### **4.5. Informal Incident Process:**

- 4.5.1. To the extent that it is reasonable and safe to do so, individuals will attempt to manage conflict and disrespectful conduct in the workplace setting by:
- a. raising their concern directly with the other individual(s) involved in writing pointing out the unwelcome behaviour and requesting that it stop provided you feel that it would be safe to do so and would pose no direct or indirect risk to the employee
  - b. seeking assistance from a supervisor, or an HR Committee member
  - c. Any employee who feels discriminated against or harassed can and should, in all confidence and without fear of reprisal, personally report the facts directly to supervisor, or an HR Committee member.

#### **4.6. Formal Incident Process:**

4.6.1. If an employee believes they have been personally harassed they may make a written complaint. The written complaint must be delivered to their supervisor, the Executive Director or an HR Committee Member. The complaint should include:

- a. The approximate date and time of each incident you wish to report
- b. The name of the person or persons involved in each incident
- c. The name of any person or persons who witnessed each incident
- d. A full description of what occurred in each incident

4.6.2. Employees will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they rejected sexual advances of another employee or because they lodged a harassment complaint when they honestly believed they were being harassed.

#### **4.7. Risk Assessment**

4.7.1. The organization will conduct a risk assessment of the work environment to identify any issues related to potential violence that may impact the operation and will institute measures to control any identified risks to employee safety. This information will be provided to the HR Committee or Safety Representative. The risk assessment may include review of records and reports i.e. security reports, employee incident reports, staff perception surveys, health and safety inspection reports, first aid records or other related records. Specific areas that may contribute to risk of violence may include: contact with public, exchange of money, receiving donations, working alone or at night etc. Research may also include a review of similar workplaces with respect to their history of violence.

#### **4.8. Investigation Process:**

4.8.1. Once a written complaint has been received The Yukon Sourdough Rendezvous Society will complete a thorough investigation. Harassment should not be ignored. Silence can, and often is, interpreted as acceptance. The HR Committee will be notified of all formal complaints, and a representative of the Committee will participate in the investigation. The investigation will include:

- a. Informing the harasser/s of the complaint. Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever, unless such disclosure is necessary for an investigation, disciplinary action or in accordance with the applicable law.
- b. Interviewing the complainant, any person involved in the incident and any identified witnesses
- c. Interview any other person who may have knowledge of the incidents related to the complaint or any other similar incidents
- d. A copy of the complaint, detailing the complainant's allegations, is then provided to the respondent(s).
- e. The respondent is invited to reply in writing to the complainant's allegations and the reply will be made known to the complainant before the case proceeds further.
- f. The Yukon Sourdough Rendezvous Society will do our best to protect from unnecessary disclosure the details of the incident being investigated and the identities of the complaining party and that of the alleged respondent.
- g. During the investigation, the complainant and the respondent will be interviewed along with any possible witnesses. Statements from all parties involved will be taken and a decision will be made.
- h. If necessary, The Yukon Sourdough Rendezvous Society may employ outside assistance or request the use of our legal counsel.

- i. Where it is determined that harassment has occurred, a written report of the remedial action will be given to the employees concerned.
- j. If the complainant decides not to lay a formal complaint, the Executive Director may decide that a formal complaint is required (based on the investigation of the incident) and will file such document(s) with the person(s) against whom the complaint is laid (the respondent(s)). If it is determined that personal harassment has occurred, appropriate disciplinary measures will be taken as soon as possible.

#### **4.9. Disciplinary Measures**

- 4.9.1. If it is determined by the organization that any employee has been involved in personal harassing or violent behaviour towards another employee, immediate disciplinary action will be taken. Such disciplinary action may involve counselling, a formal warning and could result in immediate dismissal without further notice.
- 4.9.2. This Anti-Harassment Policy must never be used to bring fraudulent or malicious complaints against employees. It is important to realize that unfounded/frivolous allegations of personal harassment or violence may cause both the accused person and the organization significant damage. If it is determined The Yukon Sourdough Rendezvous Society that any employee has knowingly made false statements regarding an allegation of personal harassment or violence, immediate disciplinary action will be taken. As with any case of dishonesty, disciplinary action may include immediate dismissal without further notice.

#### **4.10. Special Circumstances**

- 4.10.1. All records of harassment and violence, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. In cases where criminal proceedings are forthcoming, The Yukon Sourdough Rendezvous Society will assist police Yukon Sourdough Rendezvous Society attorneys, insurance companies, and courts to the fullest extent.
- 4.10.2. Should an employee have a legal court order (e.g. restraining order, or "no-contact "order) against another individual, the employee is encouraged to notify his or her supervisor, and to supply a copy of that order to the Executive Director. This will likely be required in instances where the employee strongly feels that the aggressor may attempt to contact that employee at The Yukon Sourdough Rendezvous Society, in direct violation of the court order. Such information shall be kept confidential.
- 4.10.3. If any visitor The Yukon Sourdough Rendezvous Society workplace is seen with a weapon (or is known to possess one), makes a verbal threat or assault against an employee or another individual, employee witnesses are required to immediately contact the police, emergency response services, their immediate supervisor, and the Executive Director

#### **4.11. Confidentiality**

- 4.11.1. The Yukon Sourdough Rendezvous Society will do everything possible to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. The Yukon Sourdough Rendezvous Society will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law. Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever, unless such disclosure is necessary for an investigation or disciplinary action. Any disciplinary action will be determined by The Yukon Sourdough Rendezvous Society and will be proportional to the seriousness of the behaviour concerned. Appropriate assistance will be provided to any employee who is victim of discrimination or harassment or violence.