

ADMINISTRATIVE POLICY

Title: Respectful Workplace Policy		Policy No: 30.11
		Supersedes: January 1, 2020
Effective Date: January 1, 2020	Amended Date: January142025	Review Date: January 42026

Policy Statement

The City of Maple Ridge fosters a working environment that supports the dignity and self-esteem of all Employees, City Volunteers and contractors, and is committed to ensuring that this working environment is free of harassment and bullying. Achieving this environment relies on mutual respect, cooperation, and understanding between those who work/volunteer at and for the City.

Purpose

The purpose of this Policy is to:

- (a) ensure that the City remains a respectful workplace;
- (b) define prohibited conduct, including but not limited to harassment, and set out City expectations for appropriate conduct;
- (c) prevent prohibited conduct;
- (d) outline how incidents and complaints will be addressed should they be raised; and
- (e) outline how prohibited conduct will be addressed should it occur.

Scope

This Policy applies to:

- (a) all Employees, City volunteers, and prime contractors;
- (b) any member of the public or persons conducting business with the City who interacts with a Party, as defined;
- (c) Council Members, insofar as to align with the provisions of the Code of Conduct Bylaw. For clarity, all complaints and concerns in relation to Council Member conduct will be governed by the Council Code of Conduct Bylaw and will be addressed by the Integrity Commissioner as set out under the Council Code of Conduct Bylaw;
- (d) any location where City business is conducted or any employment-related activities occur, including:

- (i) the workplace, including but not limited to City lunchrooms, meeting rooms, washrooms/changerooms, and offices;
- (ii) any other locations and situations, such as off-site meetings, business travel, or social events related to employment; and
- (iii) any workplace communication channels, including verbal, handwritten, and electronic communications.

This Policy is intended to coincide with related City policies including the Anti-Discrimination and Anti-Racism Policy and the Code of Conduct Policy, the Council Code of Conduct Bylaw, and applicable legislation including the BC Human Rights Code.

Definitions

Bullying means any inappropriate conduct or comment by one Party to another Party where they knew, or reasonably ought to have known, it would cause the other Party to be humiliated or intimidated, including but not limited to intentional, persistent attempts to intimidate, demean, torment, control, diminish the dignity, psychological, or physical integrity, or break the resistance of that other Party.

BC Human Rights Code means the *Human Rights Code*, RSBC 1996 c 210; for clarification purposes, the BC Human Rights Code is an Act of British Columbia.

City means the City of Maple Ridge.

Complainant means any Party, except a Council Member, who is subjected to Bullying or Harassment and is the commencing Party in the complaint process and investigation as set out in this Policy. Council Members must follow the complaint process set out in the Code of Conduct Bylaw.

Contractors means prime contractors who have been hired by the City to provide contract services for the City.

Council Members means the Mayor and Councillors for the City of Maple Ridge.

Designated Individual means the individual who has been designated to investigate a formal complaint, depending on the context, as follows:

- The Director of Human Resources: all complaints involving Parties that fall within the scope of this Policy, including complaints involving Volunteers and Contractors, except for complaints involving Employees who work in the Human Resources Department;
- The Chief Administrative Officer: if a Complainant or Respondent is the Director of Human Resources or other Human Resources Department Employees; and
- The Mayor and the Director of Human Resources for all complaints involving the Chief Administrative Officer.

Discriminatory Harassment means conduct that:

- (a) is based on or related to a prohibited ground of discrimination as set out in the BC Human Rights Code, including: race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age of that person, or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person;
- (b) is unwelcome or is of such a nature that it would be reasonable to assume that it is unwelcome:
- (c) detrimentally affects the work environment or leads to adverse job-related consequences for the person experiencing the harassment; or
- (d) violates the rights set out in the BC Human Rights Code of any Party.

Employees means any full time, part-time, temporary, or auxiliary employee hired by the City, and excludes any Volunteers or Contractors acting on behalf of the City.

Harassment means both Discriminatory Harassment and Personal Harassment, as defined. It also includes any type of harassment by any member of the public or persons doing business with the City towards a Party, including any behaviours that constitute as Discriminatory Harassment or Personal Harassment, examples of which are set out herein.

Management means all Employees that hold management positions as determined by Human Resources, including directors, managers, and supervisors, and also includes any use of these terms in this Policy.

Party means any person that falls within the scope of this Policy, including Employees, Volunteers, Council Members, and Contractors, as defined, except as otherwise provided in this Policy. This definition also includes use of the term "Parties". The use of this definition in the Complaint Resolution Process section does not include Council Members.

Personal Harassment means any objectionable conduct or comment directed towards a Party that the other Party knew or reasonably ought to have known would have the effect of creating an intimidating, humiliating, hostile or offensive work environment.

Respondent means any Party, except a Council Member, who has been alleged to be causing or contributing to Bullying or Harassment and who is the responding Party in a complaint process and investigation as set out in this Policy. Council Members must follow the complaint process set out in the Code of Conduct Bylaw.

Volunteers means any person who is providing volunteer services to the City and where the City is acting in a supervisory capacity only for the purposes of these volunteer services being provided.

Procedure

- 1. All Parties, including Management Employees, are expected to:
 - (a) act and contribute positively to the City in order to foster a respectful workplace environment that is collaborative, inclusive, and embraces diversity;
 - (b) conduct themselves at all times in accordance with the provisions of this Policy, including cooperating with any complaint investigations and remedies by Human Resources or the Designated Individual under this Policy;
 - (c) not engage in any form of Bullying or Harassment, as outlined under this Policy;
 - (d) report any instances of Bullying or Harassment that they either experience themselves or that they observe to their respective managers, the Human Resources Department, or the City representative that they report to, and follow all required processes, including those under the Council Code of Conduct Bylaw, as applicable; and
 - (e) listen to any complaint regarding Bullying or Harassment and treat it in serious, sensitive, and confidential manner.

2. All Management Employees must:

- (a) ensure that the principles and procedures of this Policy, and any related policies or procedures to this Policy, are reflected in the performance of their own work duties, and model appropriate behaviour for their respective teams;
- (b) inform and educate Employees on their respective teams of this Policy;
- (c) ensure that the principles and procedures of this Policy, and any related policies or procedures to this Policy, are reflected by their teams while performing their work duties;
- (d) take action as required if any aspect of this Policy is not being followed by their teams, or if they receive a complaint, including assisting Human Resources in the investigation and resolution of any complaints;

- (e) maintain confidentiality of any Parties involved in a complaint under this Policy, except where disclosure to Human Resources, or in the case of Council Members the Integrity Commissioner, for investigative purposes is required; and
- (f) review this Policy, and ensure their respective teams review this Policy, in accordance with the review timelines set out herein.

Bullying and Harassment

3. The City acknowledges that Bullying and Harassment may take many forms and can occur in many ways, including by electronic means. Some examples of what is considered Bullying and Harassment, and what is not considered Bullying and Harassment, are set out in the table below, in addition to the examples provided under the definitions of these terms.

This table is not a comprehensive list of examples and is only intended to provide guidance to Parties under this Policy. If any Parties are concerned or have questions about whether a behaviour would be considered Bullying or Harassment, they are encouraged to discuss this with their managers, Human Resources, the City representative that they report to, or in the case of Council Members, the Integrity Commissioner.

This Policy also applies to any member of the public or person doing business with the City who interacts with any Party and exhibits any type of Bullying or Harassment towards a Party. The City reserves the right to take any action they deem appropriate to cease the behaviour by that member of the public or person doing business with the City.

Examples of Bullying and Harassment:

Examples of what does NOT constitute Bullying and Harassment:

- Threats, intimidation, or demands, including
 - o non-verbal behaviour that threatens, humiliates or intimidates, or is intended to do so,
 - demands to submit to sexual requests in order to keep one's employment or avoid some other loss, or
 - o offers of employment in exchange for favours of a sexual nature;
- Verbal conduct such as:
 - o derogatory comments, insults,

• The normal exercise of Management
Employees' duties, including but not
limited to properly discharged
supervisory responsibilities such as
management and direction of Employees
or the workplace, performance
management of Employees, investigation
of complaints about Employees, and
disciplinary action of Employees, as
supported by WorkSafeBC's Prevention
Policy D3-115-2; or

- name-calling, slurs, or negative stereotyping,
- verbal assault, abuse, insults, or aggression,
- o shouting or yelling,
- o offensive remarks, jokes, innuendo,
- o unwelcome attention of a sexual nature such as questions, remarks about sexual experiences or physical appearance, or sexual invitations, or
- o spreading malicious rumours;
- Physical conduct such as:
 - unwelcome physical contact including touching, patting, spitting, assault, abuse, or blocking of normal movements, or
 - leering or mocking expressions;
- Visual conduct such as:
 - derogatory posters, drawings, cartoons, gestures, displays of any material that is considered pornographic, sexist, racist, or of another offensive or derogatory nature, including through the use of email, social networking sites, the internet, or the intranet;
- Rude, ridiculing, taunting, or patronizing behavior;
- Practical jokes, hazing, or initiating practices;
- Vandalizing or hiding personal belongings;
- Cyber-bullying; or
- Any conduct or comment by an individual towards a City Employee where the person knew, or reasonably ought to have

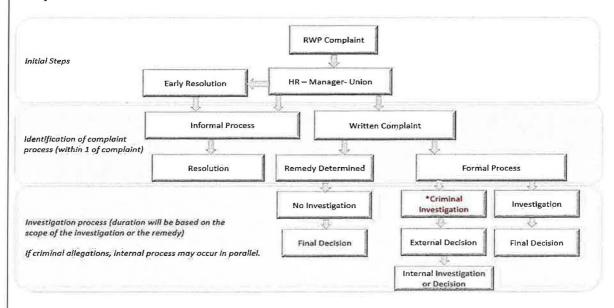
 The normal exercise of union rights outlined in the union's Collective Agreement. known, that it would cause that City Employee to feel humiliated or intimidated.

Complaint Resolution Process

Council Members

- 4. The Complaint Resolution Process, including the Informal Complaint Process and Formal Complaint Process set out below, does not apply to Council Members. The use of the term "Party" or "Parties" in this Complaint Resolution Process section does not include Council Members.
- 5. Any complaints or concerns about conduct by a Council Member, or about a Council Member, must be addressed through the Council Code of Conduct Bylaw and through the appointed Integrity Commissioner.
- 6. Any processes or terms set out in this Policy that pertain to Council Members will be superseded by the Council Code of Conduct Bylaw if there is any discrepancy.

Complaint Process Flow Chart



Informal Complaint Process

7. If a Complainant feels that they are being Bullied or Harassed, they are encouraged to communicate directly with the Respondent who is allegedly Harassing them in a reasonable and appropriate manner to advise the Respondent that the behaviour is unwelcome, it is contrary to this Policy, and to ask them to stop.

- 8. The Complainant should keep a record of all relevant facts (e.g. dates, locations, times, witnesses, nature of offending behaviours, etc.)
- 9. While this is typically the most effective way to stop alleged Bullying and Harassment, if a Complainant is unwilling or feels uncomfortable with confronting the Respondent, or if the offending behaviour continues after communicating with the Respondent, the Complainant should escalate their complaint in accordance with the next steps.
- 10. The Complainant may go to their manager, Human Resources, the City representative they report to, or union representative, as applicable, to obtain assistance in resolving the complaint informally; the manager, City representative they report to, or union representative will inform Human Resources about the complaint.
- 11. The City's goal in resolving complaints informally is to provide a confidential and forward-moving course of action that ceases the alleged Bullying and Harassment without requiring an investigation to be conducted. Informal resolutions may include, but are not limited to, the following:
 - (a) facilitation, mediation, or similar conflict resolution process;
 - (b) drafting of behavioural guidelines;
 - (c) apology; or
 - (d) any other resolution agreed upon between all Parties and the City, as deemed appropriate for addressing the complaint.
- 12. As part of the informal resolution process, the Parties will sign a letter stating that a mutually agreeable resolution was reached and implemented, and a copy of this letter will be retained in a confidential personnel file, volunteer file, or contract file as applicable.

Formal Complaint Process

- 13. If the complaint cannot be resolved informally or if informal resolution is not sought, the Complainant must report or will be formally referred to the Designated Individual as determined to be appropriate for the context of the complaint.
- 14. In any circumstances where the process may give rise to a conflict of interest, the process will be adapted as appropriate to afford due process for the Parties involved.
- 15. Anonymous complaints will not be accepted. The Complainant must file a formal statement of complaint with the Designated Individual, including:
 - (a) Date(s);

- (b) Time(s);
- (c) Who was involved;
- (d) Witnesses, if any;
- (e) Specific conduct that is the source of the complaint;
- (f) What is being sought as a remedy; and
- (g) Any action the Complainant has taken to stop the unwanted conduct, including any steps taken by the Complainant under the Informal Resolution Process and the outcome.
- 16. If the Complainant does not file a formal complaint, the City may take steps to proceed with the formal complaint process based on information that has come to the City's attention.
- 17. If a formal written complaint is received, the Designated Individual will begin a formal investigation, if appropriate, and will appoint an internal or external investigator to conduct a confidential investigation of the complaint. The investigator will:
 - (a) notify the Respondent of the allegations of the complaint;
 - (b) interview the Complainant (for unionized Employees, a Union representative may be present at the Complainant's request);
 - (c) interview the Respondent (for unionized Employees, a Union representative may be present at the Respondent's request); and
 - (d) interview witnesses as determined by the investigator; witnesses are expected to fully cooperate with the investigator.
- 18. At the conclusion of the investigation a confidential report outlining the complaint investigation findings will be presented to the Designated Individual. The Designated Individual will determine any appropriate corrective or disciplinary action to be taken.
- 19. Any Party who, as a result of an investigation, is found to have violated this Policy may be subject to corrective action or discipline, up to and including termination of their employment, revoking of their volunteer opportunity, termination of their contract, or any recourse under the Council Code of Conduct Bylaw, as appropriate.
- 20. The Designated Individual will advise the Complainant and the Respondent of the outcome of the investigation, having regard to the privacy interests of all Parties.

Resolution for Unsubstantiated Complaints

- 21. If an investigator finds insufficient evidence to support the Complainant's allegations and is unable to substantiate the complaint, the investigator will submit that finding to the Designated Individual.
- 22. No record of the complaint on the Complainant's or Respondent's file will be kept and there will be no sanctions given to any Party concerning the incident.
- 23. A finding of no evidence simply reflects an absence of evidence to support the claim and nothing more.

Potential Resolutions Arising out of Substantiated Complaints

- 24. Appropriate action arising out of the formal complaint process may include one or more of the following on the part of any Party found to have engaged in the prohibited conduct:
 - (a) formal apology;
 - (b) recommendation to seek employee or family assistance, or other medical services or professional services;
 - (c) written reprimand (this will be placed in that Employee's file);
 - (d) training or participation in educational courses or other course of correction or instruction;
 - (e) demotion or other change of work assignment;
 - (f) withholding of promotion;
 - (g) financial penalty (including a requirement to reimburse for cost related to the complaint or an adverse effect on compensation);
 - (h) revocation of a volunteer opportunity;
 - (i) paid or unpaid suspension;
 - (j) termination of contract for services; or
 - (k) termination of employment.

Appeal Process

- 25. If a Complainant or Respondent is not satisfied with the final decision of the Designated Individual in respect of the outcome of a complaint, the following avenues may be considered:
 - (a) Unionized Employees may speak with their Union about filing a grievance under the Collective Agreement. The timelines for filing a grievance will be applied.

- (b) All other Parties may appeal to the Chief Administrative Officer in writing within seven (7) days outlining their reasons for disagreement with the outcome of the complaint. The Chief Administrative Officer's review will be limited to reviewing the investigator's report and the outcome as determined by the Designated Individual to determine whether this Policy was reasonably and appropriately applied. The Chief Administrative Officer may then issue a decision in writing either confirming the decision of the Designated Individual or outlining an alternative outcome which will then constitute the City's final decision.
- (c) Any appeal processes involving Council Members must also adhere to the Council Code of Conduct Bylaw, which may supersede this Policy, where applicable.
- (d) In circumstances where the process may give rise to a conflict of interest, the process will be adapted as appropriate to afford due process for the Parties involved.
- (e) In the event of a breach of the Human Rights Code, any Party has the right to file a complaint with the British Columbia (BC) Human Rights Tribunal. Only conduct related to prohibited grounds of discrimination, such as Discriminatory Harassment, falls under the jurisdiction of the BC Human Rights Tribunal.

WorkSafeBC

- 26. Bullying and Harassment are defined in WorkSafeBC's Occupational Health and Safety Policies with established protocols on how to prevent them. Nothing in this Policy is intended to limit the application of these WorkSafeBC Policies for Employees.
- 27. WorkSafeBC requires all Employees experiencing Bullying and Harassment to report the incident to their employer, as outlined in this Policy. The City must follow WorkSafeBC's policies, including any formal resolutions or informal resolutions for complaint investigations.
- 28. If an Employee believes that their manager or the City has not taken reasonable steps to address a complaint, in line with WorkSafeBC's policies, Employees may call the Prevention Information Line at WorkSafeBC to contact an officer to discuss the incident.

Time Limits

- 29. The City reserves the right to consider any matter that comes to its attention at any time; however, Complainants are encouraged to bring concerns forward in a timely manner.
- 30. A formal complaint must be made to the Designated Individual within six (6) months of the date of the last alleged incident of Bullying or Harassment.
- 31. As soon as possible after a complaint is made, the Director of Human Resources or their delegate will contact the Complainant to discuss the incident in greater detail.

32. Complaints filed with the BC Human Rights Tribunal must be made within six (6) months of the alleged Discriminatory Harassment occurring.

Communication During Complaint Process

- 33. Throughout the complaint resolution process, and particularly towards the resolution stage, the City will ensure that Complainants and Respondents are both kept reasonably informed of the status of the complaint and what is expected of them.
- 34. This section applies regardless of whether the complaint is resolved through the informal complaint process or the formal complaint process.

Retaliation

35. The City will not tolerate any forms of retaliation against a Party or witness who has been involved in a Bullying or Harassment complaint. Any Party who is discovered to have engaged in any form of retaliation will be subject to appropriate disciplinary action, up to and including termination of employment, services, or volunteer opportunities, as applicable.

Complaints Made in Bad Faith

36. If the City establishes that a complaint has been made in bad faith, such as if a Party willfully and falsely accuses another Party of Harassment, then that Party may be subject to discipline by the City up to and including termination of their employment, revocation of their volunteer opportunity, or termination of their contract of services, as applicable in the context.

Confidentiality

- 37. All Parties are expected to respect and preserve the confidentiality of any complaint and process under this Policy and to assist in the informal resolution process or the formal investigation of any complaint by providing information as requested.
- 38. Confidentiality includes refraining from discussions or releasing information in any form, except for the purpose of resolving the complaint. Any breaches of confidentiality will be considered a violation of this Policy.
- 39. Management and any investigator appointed by the City, insofar as possible, will keep all information concerning the complaint confidential.
- 40. Confidentiality will be maintained throughout the process and information will be disclosed only to the extent necessary to carry out this Policy, including the conduct of a fair investigation and the implementation of corrective/disciplinary measures, and where disclosure is required

- under lawful authority. In all circumstances, only the minimum amount of information necessary will be disclosed.
- 41. All documentation respecting any complaint or any investigation involving an Employee will be kept by the Director of Human Resources in a confidential investigation file. Any letters respecting corrective action, discipline, or dismissal in respect of an Employee will be placed in that Employee's personnel file.

Training

42. The City takes all concerns about Bullying and Harassment seriously and will therefore train all new Parties on this Policy at the commencement of their employment or services and provide refresher training and other resources to educate Parties every year thereafter or as otherwise required by applicable laws.

Record Keeping

43. Records of complaints, investigations, and follow-up actions pursuant to this Policy will be retained, secured, and destroyed as directed by the City's polices, including the Records Management Policy, and applicable laws.

Administration

- 44. This Policy is administered and maintained by the Human Resources Department. Any consequential amendments to this Policy must be approved by the Chief Administrative Officer and the Director of Human Resources.
- 45. This Policy will be reviewed annually by the Human Resources Department.
- 46. A copy of this Policy will be:
 - (a) provided to Employees during new Employee orientation sessions;
 - (b) required to be signed off on by new Employees when they are hired;
 - (c) required to be reviewed by all Employees every two years; and
 - (d) posted on the City's website and intranet so that it is available to Volunteers and Contractors.

Consequences

- 47. This section does not apply to Council Members.
- 48. Where a complaint is substantiated in accordance with this Policy, an appropriate remedy will be implemented. The determination of an appropriate remedy will be assessed on a case-by-case basis.

49. Such remedy may include corrective action such as education and training, mediation or other conciliatory approaches, temporary or permanent changes to reporting structures or work assignments and discipline up to and including termination of employment, volunteer opportunity, or contract for services, where applicable.

(Administration	Signature	Date Signed
Only)		January 14, 2025
Resolution No.:	0	
N/A		