**[Member Organization Name]**

**RESPECTFUL WORKPLACE POLICY**

[**Member organization name**] provides a workplace free from discrimination, bullying, and harassment. Employees, volunteers and all those visiting our food bank must be treated with respect and will not be discriminated against based on the grounds listed in the BC *Human Rights Code*.

Discrimination, harassment and bullying will not be tolerated, and we expect all employees and volunteers (“team members”) to support our team by addressing and/or reporting any concerns or conduct.

While many situations can be addressed through education or informal resolution, if we determine that an employee or volunteer has engaged in discrimination, bullying or harassment, whether intentional or not, appropriate disciplinary action may be taken. Disciplinary action will be proportionate to the circumstances, up to and including dismissal for cause in serious cases.

**What are Discrimination, Bullying and Harassment?**

**Discrimination** is when someone suffers negative consequences at work because of any of the prohibited grounds listed in the *BC Human Rights Code*, which currently include:

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| * race,
* colour,
* ancestry,
* place of origin,
* political belief,
* religion,
* marital status,
 | * family status,
* physical or mental disability,
* sex,
* sexual orientation,
* gender identity or expression, or
* criminal or summary conviction offence that is unrelated to employment.
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**Harassment and bullying** include any inappropriate conduct or comment by a person towards a team member that the person knew, or reasonably ought to have known, would cause that team member to be humiliated or intimidated.

A person includes any individual with whom a team member is interacting as part of their work at the food bank. This could include another employee or volunteer, a client, a donor or anyone a team member comes into contact with at the workplace.

Examples of conduct or comments that might constitute bullying and harassment include verbal aggression or insults, calling someone names, insulting or demeaning jokes, vandalizing personal belongings, or spreading rumours.

Discrimination, bullying and harassment do not have to be intentional to be against the law and/or against [**member organization name**]’s policy.

Even well-intended jokes or compliments can be humiliating or intimidating to others at work, and may result in discipline. This can be especially true of comments by a manager to those they supervise. Put yourself in the other person’s shoes and avoid comments or actions that have any potential for being misinterpreted.

**What is not bullying or harassment?**

Not every instance of inappropriate, offensive, or disrespectful comments or conduct is bullying and harassment. We all take a misstep once in a while, and we do not always agree with others at work. Bullying and harassment do not include:

1. expressing differences of opinion in a respectful manner,
2. offering constructive feedback, guidance or advice about work-related behaviour, managing a team member’s performance, taking reasonable disciplinary actions or assigning work, or
3. making a good faith complaint about another team member’s conduct through established procedures.

**What is Sexual Harassment?**

Sexual harassment is unwelcome conduct or comments of a sexual nature that negatively impact the work environment or lead to adverse job-related consequences.

Sexual harassment can take a wide range of forms including unwelcome workplace banter/jokes of a sexual nature, unwelcome comments about a person’s body/appearance, stalking or sexual assault. These are just a few examples.

Consensual relationships are not sexual harassment. However, power imbalances and reporting structures are important to consider when determining consent. Relationships between supervisors and subordinates must be approached with extreme care by the supervisor and reported to [**member organization name**] to avoid conflict of interest.

**Workplace Violence**

Workplace violence includes attempted or actual assaults or any threatening statement or behaviour towards a team member which gives the team member reasonable cause to believe they are at risk of injury. Attempted assaults, actual assaults or threats (either by co-workers or by others at work) can be a very serious form of discrimination, bullying and/or harassment.

**Employer Obligations**

As an employer, [**member organization name**] must:

1. ensure the health and safety of its team members; and
2. take steps to prevent and address bullying and harassment in the workplace.

**Team Member Obligations**

Team members must:

1. not engage in discriminatory conduct, bullying or harassment of others in the workplace,

2. address or report discrimination, bullying and harassment if it is observed or experienced; and

3. apply and comply with this policy at all times.

[**member organization name**] encourages all team members to be active in ensuring that we have a respectful workplace. If you see something that you believe violates our policy, speak out about it.

**What to do if you observe or experience bullying, harassment or discrimination**

If you are harassed or believe you have been bullied, harassed or discriminated against in the workplace, or if you observe bullying, harassment or discrimination at work, promptly follow this procedure:

1. Speak directly to that team member and explain that their actions are inappropriate, and you would like the offensive behavior to stop. This may resolve the issue.

2. If you are uncomfortable speaking directly to that team member or if the inappropriate behaviour continues after speaking to them, then notify [**manager/supervisor]**.

3. If your complaint is regarding a Manager or Supervisor or you are not comfortable speaking to them about your particular complaint, then report the matter directly to [**HR or other appropriate internal team member]**.

Supervisors or managers who observe bullying, harassment or discrimination should take immediate action to stop it and promptly notify HR.

All complaints of bullying, harassment and discrimination are strictly confidential, except for disclosures reasonably required to address and investigate the matter, including any investigation or disclosures required by law. To ensure the integrity of the complaint process and investigation, team members should not discuss complaints made under this Policy with others in the workplace.

**Informal Resolution**

Many incidents of bullying and harassment can be resolved informally. This can include discussions with both parties (separately or together), written statements of expectations or a mediation. In most cases, informal resolution will be attempted before proceeding to a formal investigation.

**Formal Complaints and Investigation**

If [**member organization name**] is unable to resolve the complaint on an informal basis within a reasonable period of time, then you have the option of making a “Formal Complaint.” Team members are expected fill out the Complaint Form that is attached as Schedule “A” to this policy and to keep written accounts of incidents and submit them with their Formal Complaint. Formal Complaints of harassment or discrimination may be investigated. Informal resolution may still be explored at any point.

[**member organization name**] may also initiate a Formal Complaint investigation if they determine that a matter is serious and reasonably likely to constitute bullying, harassment or discrimination.

Investigation of a Formal Complaint involves the following steps:

1. An appropriate internal team member to [**member organization name**], or a third party investigator will be assigned to the complaint (the “Investigator”).

2. The Investigator will meet with the accuser to get a formal statement including specific examples of inappropriate conduct or statements attributed to the accused.

3. The Investigator will meet with the accused to address general and specific concerns/statements and get their side of the story.

4. There may be a need for the Investigator to speak with other team members as witnesses, which will be at the Investigator’s discretion. The Investigator will keep confidential written notes of these meetings. All witnesses will be reminded that this is confidential matter and it should not be discussed with anyone including the accused or the accuser.

5. The Investigator may also review other evidence such as emails, text messages, handwritten notes, photographs or physical evidence.

6. The Investigator will communicate the results of the investigation to [**member organization name]** who will then advise the accuser and the accused of the outcome and any next steps.

7. All parties will be reminded that any retaliation on any team member will not be tolerated.

Retaliation against a team member for making a complaint of harassment or discrimination, or for assisting in a complaint investigation undermines a culture of respect and is prohibited. Retaliation may result in discipline up to and including dismissal for cause.

If it is determined that a team member has filed a frivolous or malicious complaint, has brought a complaint in bad faith, or has provided false information during an investigation, disciplinary action may be taken against that team member up to and including dismissal for cause.

It is expected that a team member will keep a written account of any incidents to submit with their complaint. [**member organization name**] will keep a written record of any investigation findings.

This policy applies to all team members and volunteers, including permanent, temporary, casual, contract, and student workers. It applies to interpersonal and electronic communications. This policy will be reviewed every year and will be posted in the [location of posted policy] so that it is accessible to all team members.

[**member organization name**] uses its best efforts to create a workplace free from bullying, harassment and discrimination and to ensure that all complaints are handled in an appropriate, proportional and fair manner. Please contact ­­­[key contact position title] if you have any questions or concerns about our Respectful Workplace Policy.

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| **Implementation Date**: April \_\_\_, 2021 | **Last Reviewed:** April \_\_\_, 2021 |

I confirm that I have read and understood the [**member organization name**] Respectful Workplace Policy:

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| Signature of Team Member/Volunteer |  |  |
|  |  |  |
| Name of Team Member/Volunteer |  | Date |

**Schedule “A” - Formal Complaint Form**

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| Name and contact information of complainant: |
| Name of person who allegedly violated the Respectful Workplace Policy: |

**Personal statement**

Please describe in as much detail as possible the discriminatory or harassing incident(s), including:

• the names of the parties involved

• any witnesses to the incident(s)

• the location, date, and time of the incident(s)

• details about the incident(s) (behavior and/or words used)

• any additional details that would help with an investigation

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence can also be submitted.

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| **Signature** | **Date** |