



Summer Village of Yellowstone

Administrative Policy

Number	Title		
C-HUM-RES-1	Respect in the Workplace		
Approval	Originally Approved		Last Revised
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Purpose

The Summer Village of Yellowstone (the “Village”) recognizes the dignity and worth of every employee and Council member and believes in providing and maintaining a work environment in which all employees and Council members are free from workplace violence, harassment, and discrimination. This policy applies to all individuals engaged within the Village and covers all forms of violence, harassment, and discrimination prohibited under Human Rights Legislation.

Policy Statement

All employees and Council members in the workplace have a right to work in an environment free from violence, harassment, and discrimination. To accomplish the Village’s goal of promoting a violence, harassment, and discrimination-free environment, the Village hereby establishes the following guidelines:

- a) The Village will not tolerate violence, harassment, or discriminatory behavior from employees, non-employees (i.e., contractors, consultants, co-op students, agency employees, interns, residents, and volunteers), Council members, and members of the public, visitors, or any others that attend at the workplace; and

- b) Every employee, non-employee (i.e., contractors, consultants, co-op students, agency employees, interns, and volunteers), Council member, and member of the public or visitor conducting affairs in the Village shall be made aware of this policy. The Village shall make every attempt to communicate its commitment to a violence, harassment, and discrimination-free workplace.

Retaliation or reprisals are prohibited against any individual who has complained under this policy or has provided information regarding a complaint. Any retaliation or reprisals are subject to immediate corrective action, including termination for cause. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of violence, discrimination, and harassment.

The Village recognizes that individuals may find it challenging to come forward with a complaint under this policy because of concerns about confidentiality. Therefore, all complaints concerning workplace violence, harassment, verbal abuse, bullying, or discrimination, and the parties' names shall be treated as confidential to the furthest extent possible in law. The Village's obligation to investigate the alleged complaint may require limited disclosure. As it pertains to violence, where the Village believes there to be an imminent danger to an employee, it may divulge confidential information as is reasonably necessary to the RCMP. No record of the complaint will be maintained on the complainant's personnel file. At the conclusion of each complaint process, all related documentation will be confidentially maintained for safekeeping by the Chief Administrative Officer in the related "Respect in The Workplace" file.

Definitions

"Employee" means any person engaged in work opportunities representing the Village; this includes employees, contractors, volunteers, or individuals employed through honorariums,

"Workplace" means any place where business or work-related activities are conducted. It includes but is not limited to, the physical work premises, work-related social functions (social events, golf games, etc.), work assignments outside the Village's office, work-related travel, and work-related conferences or training sessions.

"Discrimination" means the differential treatment of an individual based on race, sex, color, ancestry, place of origin, ethnic origin, same-sex partnership status, sexual orientation, age, disability, citizenship, family status or marital status, creed, gender identity or gender expression or any other factor that is legislatively protected ("Prohibited Grounds").

"Harassment" means any single incident or repeated incidents of objectionable or unwelcome conduct, comments, bullying, or action by a person that the person knows or ought reasonably to know will or would cause offense or humiliation to an employee or adversely affect the employee's health and safety, and includes

"Violence" whether at a work site or work-related, means the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence.

Scope

This policy applies to all Council members, Managers, Supervisors, Employees/Workers, Consultants, and Contractors.

Responsibilities

Each and every employee or Council member is responsible for creating and maintaining a violence, harassment, and discrimination-free workplace. All employees and Council members are requested to report promptly when they become aware of alleged actions or complaints of violence, discrimination, or harassment. This includes a responsibility for employees and Council members to report any alleged actions or complaints of domestic violence that occur outside the workplace and that may create a risk of danger to themselves or others in the workplace. Supervisors are responsible for providing a workplace that is free from violence, harassment, and discrimination. This responsibility includes actively promoting a positive work environment and intervening when problems occur.

The Village will provide training to its employees and Council members, which will include a review and explanation of this policy and its procedures, as well as a description of the Village's expectations of employees and Council members relative to their behavior in the workplace. This training will include the following:

- a) The recognition of violence and harassment,
- b) The policies, procedures, and workplace arrangements that the employer has developed and implemented to eliminate or control the hazards of violence and harassment,
- c) The appropriate response to violence and harassment, including procedures for obtaining assistance, and
- d) The procedures for reporting, investigating, and documenting incidents of violence and harassment.

Complaint Procedure

Step 1 - Self-Help

Employees, contractors, or Council members are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in the unwelcome conduct. Where employees, contractors, or Council members feel comfortable in doing so, communicate disapproval clearly to the person(s) whose conduct or comments are offensive. Keep a written record of the date, time, details of the conduct, and witnesses, if any.

Step 2 - Management Support and Intervention

Employees or Council members who are not comfortable with step one (1) and who believe they are victims of violence, discrimination, or harassment or become aware of situations where such conduct may be occurring, are encouraged to seek advice from and report these matters to the CAO or his/her designate.

Step 3 - Formal Complaint

If informal attempts at resolving the issue are not appropriate or prove to be ineffective, a formal complaint may be filed. To file a formal complaint:

- i. Provide a letter of complaint that contains a brief account of the offensive incident (i.e., when it occurred, the persons involved, and names of witnesses, if any). The letter shall also include the remedy sought and be signed and dated by the person complaining.
- ii. File the complaint with the CAO or his/her designate; and
- iii. Cooperate with those responsible for investigating the complaint.

Formal complaints shall be investigated. The investigation process shall involve interviews of the complainant, the respondent, and any witnesses named by either. Depending on the circumstances, the Village reserves the right in its sole and exclusive discretion to suspend the respondent with or without pay during the investigation. Generally, within ten (10) business days of the incident or notice thereof, the individual responsible for the investigation shall investigate the incident and may prepare a written report of the investigation findings. A report will be kept on file for two (2) years from the date of the incident. The complainant and the respondent (if he or she is an employee or Council member of the Village) shall be informed in writing of the results of an investigation and of corrective action that has been taken or will be taken as a result of the investigation.

Disciplinary action for violations of this policy will consider the nature and impact of the violations and may include a verbal or written reprimand, a suspension (paid or unpaid), or termination of employment for cause as determined by the Village (where applicable). Similarly, deliberate false accusations are of an equally serious nature and will also result in disciplinary action up to and including termination of employment for cause. Note, however, that an unproven allegation does not mean that the conduct did not occur or that there was a deliberate false allegation. It may simply mean that there was an insufficient evidentiary basis to proceed.

For greater clarity, if the alleged respondent is a senior management team member (i.e., the CAO), you should file your formal complaint with the mayor. If the alleged respondent is a member of Council, you should file your formal complaint with Council. Further, any respondent(s), regardless of their position within the Village, will be excluded from administering and managing the investigation and resolution process (save and except for their involvement as a respondent).

This policy is not intended to discourage an employee from exercising rights pursuant to any other law, including the Alberta Human Rights Act.

Complaints Against Third Parties

The Village recognizes that an employee, contractor, or Council member may be subject to violence, harassment, or discrimination by members of the public or by others who conduct business with the Village. An employee or Council member who believes that he or she has been subjected to such conduct by a person who does not work for the Village may seek the advice of his/her direct Manager, who will take whatever action is appropriate in the circumstances.

Victim Support

The Village recognizes that victims may require emotional support and reassurance. The Village will ensure that victims, as well as others exposed to discrimination, harassment, or violence, are advised to consult a health professional of their choice for treatment or referral.

Program Evaluation and Review

The Village will engage in a program evaluation process to monitor the effectiveness of its policy and procedures. Given that the purpose of this policy and procedure is to minimize the occurrence of workplace discrimination, harassment, or violence and establish an environment of non-tolerance to workplace discrimination, harassment, or violence, the process will be evaluated against that measure.

A review will take place on the earliest of the following:

- a) When an incident of harassment, violence, or discrimination occurs;
- b) If the joint health and safety committee or the health and safety representative, if applicable, recommends a review of the plan;
- c) Every four (4) years.

Attachments

N/A

Revisions:

Resolution Number	MM/DD/YY