



County of Wetaskiwin No. 10 Municipal Policy

Department:

Policy No.

12.1 Employee Relations

12.1.11

Title Respectful Workplace

1. Policy Statement:

1.1. The County of Wetaskiwin is committed to eliminating violence, harassment, and discrimination in all workplaces associated with the County. The County believes in promoting a working environment in which all people respect one another and work together to achieve common goals. Any act of violence, harassment, or discrimination committed by or against any worker or member of the public is unacceptable, and such conduct will not be tolerated by the County.

1.2. The County of Wetaskiwin is committed to:

1.2.1. Educating all employees in the recognition of violence, harassment, and discrimination and operation of all policy and procedures in this regard;

1.2.2. Investigating all reported incidents of violence, harassment, and discrimination in an objective and timely manner;

1.2.3. Taking necessary action in response to such reported incidents;

1.2.4. Informing complainants and supervisors regarding reporting requirements; and

1.2.5. Providing appropriate support for complainants.

1.3. No employee may be penalized, reprimanded, or in any way criticized when acting in good faith while following this policy and the supporting procedures for addressing situations involving workplace violence, harassment, and/or discrimination. This Respectful Workplace Policy does not discourage an employee from exercising the employee's right under any other law..

2. Responsibilities:

2.1. The following shall be the responsibilities of all employees of the County of Wetaskiwin:

2.1.1. To take immediate and appropriate action to address incidents of workplace violence, harassment, and/or discrimination after any such incidents have been observed by or reported to them. Immediate and appropriate action shall consist of reporting any such incidents to their immediate supervisor. Immediate and appropriate action shall also consist of following the procedures outlined in this policy, as well as in Safe Work Procedures 047 ("Workplace Violence") and 048 ("Harassment Prevention").

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- 2.1.2. If the incident in question involves the immediate supervisor of the individual making the report, then that individual shall report the incident to the CAO instead.
- 2.1.3. If the incident in question involves the CAO, the incident shall be reported to the Reeve instead.
- 2.1.4. To ensure that their behaviour and conduct is respectful and appropriate at all times.
- 2.1.5. To ensure that, to the best of their ability, they are aware of and fully adhering to the contents of Hazard Assessments 0037 ("Workplace Violence") and 0038 ("Workplace Harassment"), as well as Safe Work Practices 047 and 048.
- 2.1.6. It shall be the responsibility of the County as an organization to ensure that proper training in relation to this policy is provided to all employees; this training shall include, but not necessarily be limited to, the following:
 - a. How to recognize workplace violence, harassment, and discrimination;
 - b. The policies, procedures, and workplace arrangements that effectively eliminate or control workplace hazards related to violence, harassment, and discrimination;
 - c. Appropriate responses to reported incidents; and
 - d. The procedures for reporting, investigating, and documenting incidents, pursuant to the contents of this policy.

3. Guidelines:

3.1. Right to Assistance

- 3.1.1. Any person who has been subjected to workplace violence, harassment, and/or discrimination has the right to access assistance in communicating their objections and, if warranted, in pursuing a formal complaint. It is recognized that the issue of access to recourse is particularly critical where the alleged offender is in a position of authority over the complainant or where there are other communication barriers.
- 3.1.2. An employee who has been subjected to such conduct as outlined in section 3.1.1 should advise the necessary individuals in accordance with the responsibilities outlined in this policy.
- 3.1.3. The complainant and/or the victim will be offered available support and will be encouraged to consult a healthcare professional of their choosing to obtain support or treatment.

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3.2. Informal Complaint – Optional Steps Prior to Formal Reporting

- 3.2.1. Where appropriate, the complainant may make their concern known verbally to the alleged offender, either directly or with the assistance of a third party. This first step is important so that the alleged offender is immediately made aware that their conduct is offensive to the complainant and must stop; however, the County recognizes that it will not always be possible for the complainant to make the alleged offender aware of their concern personally.
- 3.2.2. The complainant should be encouraged to carefully record the details of the incident, including the date and time, nature of the behaviour, and the names of any persons who may have witnessed the conduct.
- 3.2.3. The complainant is not required to engage in the informal complaint process prior to making a formal complaint.
- 3.2.4. At any time during the informal complaint process, the complainant may choose to file a formal complaint.

3.3. Formal Complaint Reporting

- 3.3.1. The written record of the complaint should be provided to the necessary individuals in accordance with the responsibilities outlined in this policy.
- 3.3.2. When a formal complaint is filed, a determination should be made as to whether a report must be filed in accordance with the provisions of the *Occupational Health and Safety Act*.
- 3.3.3. No employee shall take retaliatory action against a complainant with the intention of dissuading or punishing an individual for participating in the complaint process. Sanctions may be imposed for any such retaliation.
 - a. Retaliation as described in Section 3.3.3 should not be confused with any sanctions which may be imposed for making false allegations.

3.4. Investigation

- 3.4.1. The County is dedicated to conducting thorough, fair, and timely investigations of any complaints received, with the intention of accomplishing the following:
 - a. Protecting employees;
 - b. Limiting the damaging effects of violence, harassment, and discrimination on victims and others;
 - c. Increasing worker morale;
 - d. Avoiding negative publicity;
 - e. Avoiding costly and time-consuming legal proceedings; and

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- f. Maintaining a low employee-turnover rate.
- 3.4.2. The County will appoint an investigation team consisting of the complainant’s immediate supervisor and the CAO; however, this team may vary depending upon the position held by the alleged offender identified in the complaint.
- a. Notwithstanding Section 3.4.2, the County may elect to retain an independent third party to investigate.
- 3.4.3. Investigations of a formal complaint will be carried out in accordance with the following:
- a. Incidents will be investigated as promptly as possible in accordance with the circumstances;
 - b. Employees will be required to cooperate during the investigation process;
 - c. The County will not disclose the circumstances related to an incident or names of the complainant, the respondent, and any witnesses, except:
 - i. Where necessary to investigate the incident or to take corrective action, or to inform the parties involved in the incident the results of the investigation and any corrective action to be taken to address the incident;
 - ii. Where necessary to inform employees of a specific or general threat of violence or potential violence (in doing so, the County will disclose only the minimum amount of personal information that is necessary to inform employees of such a threat); or
 - iii. As required by law.
 - d. In all cases, both the complainant and the respondent will be interviewed, and the respondent will be advised of the allegations they face and provided with an opportunity to answer the same;
 - e. Where appropriate, the investigation team will interview any witnesses identified and review any relevant documents;
 - f. Individuals with knowledge of the incident will be encouraged not to discuss the incident with others; and
 - g. The safety of the complainant and/or victim will be a paramount consideration throughout the investigation process.

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3.5. Disposition of the Complaint

- 3.5.1. Following the investigative process, the investigation team will determine whether the complaint has been substantiated. A summary of the findings, including any conclusions, will be given to the complainant and to the respondent.
- 3.5.2. If the complaint is not substantiated, the complainant and the respondent will both be advised separately that the complaint is dismissed, and any reference to the complaint will be removed from the respondent's record. If a complaint is dismissed, consideration will be given to whether or not the complaint was frivolous, vexatious, or made with malicious intent and, if so, what recourse should follow.
- 3.5.3. If the complaint is substantiated, the appropriate corrective and disciplinary measures will be identified and may include a range of responses. Consideration will be given to the specific circumstances of the incident, the terms and conditions of employment, and other relevant factors related to the respondent. Recourse may include both disciplinary and corrective action, with possible options including one or more of the following:
 - a. Apology;
 - b. Training;
 - c. Referral to an Employee Assistance Program for counselling;
 - d. Reassignment;
 - e. Limiting access to certain areas or individuals within the organization;
 - f. Disciplinary measures in accordance with the County's Incremental Discipline Policy, as amended from time; or
 - g. Advising the local authorities of a potential criminal offence.

3.6. Systemic Investigation

- 3.6.1. Whether any complaint has been made, when concerns regarding a worksite are brought to the attention of the County, the County may direct a systemic review/investigation of any worksite, to ensure that employees are able to work free from violence, harassment, and discrimination.
 - a. Disciplinary action may result from breaches of this policy identified in the context of a systemic investigation.

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3.7. Confidentiality

3.7.1. Throughout the complaint and investigation process, to the greatest extent possible, reasonable efforts shall be made to respect the confidential nature of a complaint. However, absolute confidentiality cannot be guaranteed owing to the need for an investigation and the need to inform the respondent of the allegations. All employees investigating or providing evidence in respect of a complaint shall keep the information confidential. Violation of the confidentiality obligations pursuant to this policy may result in disciplinary action.

3.8. Records Management

3.8.1. A written investigation report for any complaints made pursuant to this policy will be prepared by the investigation team; this report will outline the circumstances of the incident, a summary of the findings, and any corrective action resulting from the investigation.

3.8.2. All investigation reports will be retained by the County for a minimum of two (2) years.

3.8.3. These records will be maintained by the CAO and confidentiality will be preserved.

3.9. Program Review and Evaluation

3.9.1. As part of the County's Health and Safety Program, the County will engage in a program evaluation process to monitor the effectiveness of its policies and procedures. Given that the purpose of this policy is to eliminate, or at least minimize, the occurrence of workplace violence, harassment, and discrimination and establish an environment of non-tolerance towards conduct of this nature, this policy and its procedures shall be evaluated against that measure at least every three (3) years, or following a reported incident, whichever is earlier.

3.9.2. The evaluation will include the following:

- a. A needs assessment of complainants and respondents;
- b. A review of the County's worksite training initiatives;
- c. A process evaluation in order to measure whether the policy is meeting its intended objective; and
- d. Outcome evaluation to determine whether the policy has met its objective, and whether additional opportunities for improvement in the policy can be identified.

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3.9.3. The policy review and evaluation may include canvassing individuals who have made complaints in addition to other employees as to their understanding of the policy and their perception of the efficacy and fairness of the process it lays out.

3.9.4. When required, the Health and Safety Committee shall participate in the policy review and evaluation.

3.10. Compliance

3.10.1. All employees are obligated to uphold this policy and to work together to prevent workplace violence, harassment, and discrimination.

3.10.2. No employee shall subject another employee to or participate in workplace violence, harassment, or discrimination.

3.10.3. Failure to comply with this policy may result in disciplinary action in accordance with the County's Incremental Discipline policy.

4. **Definitions:** are created and maintained in the Definition Index.

5. **Related Documents:**

5.1. Incremental Discipline Policy

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