

Administrative Procedure Name	Respectful Workplace	Administrative Procedure Number	HRA001-00
Effective Date	October 1, 2023	Revision Date	N/A
Approved By	CAO, Dan Wilson		
Related Administrative Procedure or Policy	Workplace Harassment and Discrimination Prevention, Code of Conduct, Progressive Discipline		

Intent:

Township of Centre Wellington values all of its employees and is committed to providing an environment where employees, elected officials, volunteers, students, customers, contractors and visitors are treated, and treat each other professionally and respectfully with dignity in their interactions. Through this administrative procedure, the Township supports the maintenance of a respectful workplace by providing education about appropriate workplace behaviour and setting out processes to resolve respectful workplace complaints.

This administrative procedure, along with *Code of Conduct Administrative Procedure* and *Workplace Harassment and Discrimination Prevention Administrative Procedure*, responds to the Township’s responsibility to create and maintain a respectful workplace, provides procedures to handle complaints and to resolve problems and remedy situations when a breach of this administrative procedure occurs.

Procedure:

A. Scope

This administrative procedure applies to all Township of Centre Wellington employees, elected officials, volunteers, students and contractors.

For purposes of this administrative procedure the workplace includes all places where the Township of Centre Wellington does business, including:

- Any land, premises, location or thing at, upon, in or near which a worker works;
- Township-sponsored functions and recreational or social events, whether taking place on Township grounds or elsewhere; and
- Travel for Township business.

This administrative procedure does not limit the rights or responsibilities of the Township to manage work performance appropriately and in good faith. Actions by management that are part of their responsibilities and performed for legitimate business purposes, such as changing work assignments or performance management, do not constitute a breach of this administrative procedure.

B. Definition

Respectful Workplace

A respectful workplace and work environment honours everyone's entitlement to have a respectful experience and honours each person's pride and dignity. In a respectful workplace, the principles of promoting cooperative and collaborative behaviours, including healthy group dynamics and proactive problem solving, are honoured. A respectful workplace includes conduct that is respectful and inclusive of others.

A respectful workplace does not include but is not limited to:

- aggressive or demeaning behaviours;
- negative or inappropriate communication; or
- bullying behaviour directed toward a specific person or persons resulting in an individual feeling humiliated, lessened in their well-being, or intimidated.

Allegation is an unproven assertion or statement.

Complainant is the person bringing forward a complaint or allegation of disrespectful behaviour. There may be more than one complainant in a complaint.

Mediation is a voluntary process where the complainant and the respondent consent to meet with a Human Resources representative to determine whether the dispute can be informally resolved in a mutually satisfactory manner. In some instances the Township may determine that an external mediator should be called upon to assist in achieving resolution. Mediation discussions between the parties are treated as private and confidential.

Reasonable Person Standard refers to whether or not a reasonable person in roughly the same position as the complainant would determine disrespectful behaviour to have occurred.

Respondent is a person or persons against whom an allegation of disrespectful behaviour has been made pursuant to this administrative procedure.

Retaliation is taking adverse action against another person for making a complaint in good faith or providing information in connection with an investigation or as a result of the resolution of a complaint. Examples of retaliation may include withholding information, sabotaging a person's work, denial of a transfer or promotion, unjust negative evaluations or references.

C. Resolution Procedure

The Township recognizes that conflicts and disagreements can occur within the workplace and expects such issues to be resolved in a manner that contributes to a healthy and

productive workplace. Employees are encouraged to resolve disputes at an early stage through respectful and open dialogue between themselves, or by calling upon the assistance of their manager or the Human Resources department.

The following procedures have been established so that complaints can first be addressed informally; and only if that is not possible, then formally. The goal of this administrative procedure is to prevent, correct and remedy disrespectful behaviour situations and not be punitive. However, depending on circumstances, disciplinary action, up to and including termination may result.

1. Informal Process

Persons who experience disrespectful behaviour are strongly encouraged to engage in a conversation with the respondent to clarify and resolve the concerns.

Where a complainant is unable to have the conversation directly with the respondent, they should contact their manager as soon as possible. If needed, the manager will offer assistance, such as scheduling the conversation between both parties or attending the meeting as an observer.

Staff Association participation and support is welcome.

2. Mediation

If there is no resolution under Step 1 and the complainant continues to seek resolution, then they should approach their manager with the concern(s). The goal is to understand and mutually resolve the issue so that persons conduct themselves in a civil, respectful and cooperative manner.

Steps taken by the manager or Human Resources department could include:

- Meeting separately with the complainant and the respondent to review the concerns;
- Meeting together with the complainant and the respondent to facilitate a conversation aimed at understanding and resolving the issue;
- Reviewing applicable policies with the complainant and the respondent and reinforcing expectations of respectful conduct;
- Seeking commitments from the complainant and the respondent that they will conduct themselves in a respectful manner;
- Following up where appropriate with the complainant and the respondent after the resolution process to ask whether commitments to respect are being adhered to; or
- Recording steps taken in the resolution process.

3. Formal Process

If there is no resolution under Steps 1 and 2, and the complainant continues to seek resolution, then they must file a written complaint to their manager or to the Chief Human Resources Officer (CHRO).

A complaint must be filed within three (3) months of the alleged incident, or the last incident if there is more than one incident. The CHRO may extend that time limit in exceptional circumstances.

Information required for a written complaint:

- The specific incident(s) that have led to the filing of the complaint — if there is more than one, number them;
- The date the incident(s) occurred;
- The identity of the respondent;
- What the respondent(s) said or did that was in breach of this administrative procedure;
- The names and department(s) of any potential witnesses;
- How the incident(s) affected the complainant; and any impact the incident(s) had on the complainant's work; and
- Any attempts made to resolve the complaint under Steps 1 or 2; what those were, and who assisted.

D. Investigation

Once a written complaint is received, the CHRO or Human Resources department will undertake an investigation immediately.

The names of the parties and the circumstances related to the complaint will not be disclosed except where necessary to investigate the complaint or take appropriate disciplinary measures.

The CHRO may reject a complaint on the grounds that it is made in bad faith, is frivolous, vexatious or malicious, that it lies outside the jurisdiction of this administrative procedure or is beyond the time limits for making a complaint. This rejection must include the reasons for the decision.

If a complaint of disrespectful behaviour is made against the CHRO, the Chief Administrative Officer will receive the complaint and handle all matters related to the investigation and resolution of the complaint.

If a complaint proceeds, the CHRO may appoint an external investigator to investigate the allegations made in the complaint. The complainant and the respondent will be notified that an investigation will proceed and provided the name and contact information of the investigator. The CHRO or Human Resources representative will oversee the investigation process.

Respondents will be provided with the opportunity to explain themselves and have those explanations fully considered by whoever is carrying out the investigation.

The investigator's mandate will include interviewing the complainant, respondent and witnesses where appropriate: making findings of fact, determining whether the facts constitute disrespectful behaviour in breach of this administrative procedure, and issuing a summary report consistent with the mandate. The investigation will be thorough, objective, expeditious and fair for all parties involved.

The investigator's report will be delivered to the CHRO. All documentation related to the investigation is the property of the Township. The complainant and the respondent will be advised of the outcome of the investigation but will not be provided with a copy of the report. Witnesses who participate in the investigation will be advised that the investigation has concluded.

The CHRO will consider the report's findings and determine what steps or remedies to take within six weeks of receiving the report. These may include education, counselling, discipline, or some other action. The CHRO will communicate this decision in writing to the complainant, the respondent, and their representatives, if applicable.

Approval:



Dan Wilson, CAO