

		POLICY AND PROCEDURE MANUAL	
Category: Administration	Number: ADM.30(C)	ANTI-RACIAL DISCRIMINATION AND ANTI-RACISM POLICY	
Type:	Authority:	Approved By:	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure	<input checked="" type="checkbox"/> Council <input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Council <input type="checkbox"/> Chief Administrative Officer <input type="checkbox"/> Department Head	
Office of Primary Responsibility: <i>Human Resources</i>			
Date Adopted: November 16, 2020	Council Resolution No: RC20/548	Date to be Reviewed: November 16, 2021	
Manner Issued: In-person training, e-mail, posted on Pipeline, posted on website			

POLICY STATEMENT:

The District of Mission (District) recognizes the diversity of our community and believes that all members of our community including, but not limited to, residents, elected officials, employees, volunteers and visitors of colour and Indigenous Peoples have the right to live, work, do business and play in an environment that asserts and supports their fundamental rights, personal worth and human dignity.

While acknowledging and recognizing the existence in our community of racism in all its forms, including Cultural, Environmental, Institutional, Systemic and Individual; the District is committed to breaking down barriers, deconstructing biases and fostering and promoting an inclusive, respectful and welcoming environment for all, one that is free from racial discrimination and racism. The District is further committed to respecting and upholding the vision and principles of British Columbia's *Human Rights Code* and the implementation of the Calls to Action of the Truth and Reconciliation Commission.

The District acknowledges it has a role to play in creating a community that is free from racial discrimination and racism.

PURPOSE:

This Policy is intended to demonstrate the District's commitment to conducting the day to day operations and governance in an anti-discriminatory and anti-racist manner and environment. The implementation of this Policy is a public commitment that the District will continue to make best efforts to ensure that all who work and interact with the District are able to do so in an environment and manner free of racism and racial discrimination.

PROCEDURE:

1. Definitions¹:

¹ The Canadian Race Relations Foundation maintains a glossary with definitions of key concepts relevant to race relations, the promotion of Canadian identity, belonging and the mutuality of citizenship rights and responsibilities. <https://www.crrf-fcrr.ca/en/resources/glossary-a-terms-en-gb-1>

“Administration” means all of the employees of the District.

“Administrative Policy” means Policy statements that guide the operational and/or internal work processes of administration, including management of human resources.

“Administrative Procedure” means the tasks or steps required to follow or implement Council Policy or Administrative Policy, including the assignment of roles and responsibilities, and the detailed steps that outline a particular way of accomplishing something or of acting.

“Barrier” means an overt or covert obstacle which must be overcome for equality and progress to be possible.

“Bias” means a subjective opinion, preference, prejudice, or inclination, often formed without reasonable justification, which influences the ability of an individual or group to evaluate a particular situation objectively or accurately.

“Chief Administrative Officer” means the individual appointed by Council to the position of Chief Administrative Officer (or his/her designate) as the head of Administration.

“Council” means the duly elected officials of the District, those being the Mayor and Councillors.

“Council Policy” means Policy statements that provide strategic direction on programs and services delivered by the District which impact or affect citizens or customers, and/or Policy statements that require Council’s approval because of legislative or regulatory requirements.

“Cultural Racism” means the full adoption by an individual or group of the culture, values and patterns of a different social, religious, linguistic or national ethos, resulting in the diminution or elimination of attitudinal and behavioural characteristics of the original individual or group. Can be voluntary or forced.

“Department Head(s)” means those District employees that are charged with overseeing a particular operational or departmental area and/or their designates.

“Discrimination” means the differential treatment of an individual or group, on the basis of prejudice, stereotypes or the Prohibited Grounds of Discrimination set out in provincial human rights legislation. Discrimination may be intentional or unintentional, conscious or unconscious. Discrimination can result in one individual or group having an advantage over another and can cause an individual or group to be excluded from activities which they ought to have the right to be included in.

“District” means the District of Mission.

“Diversity” means a term used to encompass the acceptance and respect of various dimensions including race, gender, sexual orientation, ethnicity, socio-economic status, religious beliefs, age, physical abilities, political beliefs, or other ideologies.

“Environmental Racism” means a systemic form of racism in which toxic wastes and dangerous and toxic facilities are located into or near marginalized communities, such as people of visible minorities, Indigenous Peoples, working class, and poor communities, often causing chronic illness and change in their lifestyle due to pollution of lands, air and waterways.

“Inclusive Language / Inclusion” means the deliberate selection of vocabulary that avoids explicit or implicit exclusion of particular groups and that avoids the use of false generic terms, usually with reference to gender. Making diverse members of society or an organization feel valued and respected.

“Indigenous Peoples” means the communities, peoples, and nations that have a historical continuity with pre-invasion, pre-settler, or pre-colonial societies that developed on their

territories, as distinct from the other societies now prevailing on those territories (or parts of them). The original inhabitants of Canada who lived here for millennia before explorers arrived from Europe.

“Individual Racism” means the racist assumptions, beliefs and behaviours that stem from conscious and unconscious personal prejudice.

“Institutional Racism (Systemic Discrimination)” means the institutionalization of discrimination through policies and practices which may appear neutral on the surface but which have an exclusionary impact on particular groups. This occurs in institutions and organizations, including government, where the policies, practices and procedures (e.g. employment systems – job requirements, hiring practices, promotion procedures, etc.) exclude and/or act as barriers to racialized groups.

“People of Colour”² means Non-White racial or ethnic groups; the term is meant to be inclusive among non-white groups, emphasizing common experiences of racism. The term was introduced as a preferable replacement to both non-white and minority which are also inclusive because it frames the subject positively; ‘non-white’ defines people in terms of what they are not, and ‘minority’ frequently carries a subordinate connotation. The phrase is not used to refer to Indigenous peoples, as they are considered distinct societies under the Canadian Constitution. When including Indigenous peoples, it is correct to say “people of color and Indigenous peoples.” It can also be used as the acronym, BIPOC, which references Black, Indigenous, and People Of Colour. While this term has become increasingly common, it may not be familiar or acceptable to all audiences.

“Policy” means general statements or guidelines that are high-level in nature, as opposed to being operationally oriented, which direct a plan, course of action or decision, according to a **standard or performance outcome**.

“Prohibited Grounds of Discrimination”³ means race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity, gender expression, age of a person or class of persons.

“Racial Discrimination” means any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin, which nullifies or impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

“Racism” means a belief that one group is superior to others performed through any individual action, or institutional practice which treats people differently because of their colour or ethnicity. This distinction is often used to justify discrimination. There are many types of racism: Institutional, Systemic, and Individual.

“Visible Minorities” is defined by the Government of Canada as "persons, other than aboriginal peoples, who are non-Caucasian in race or non-white in colour". The term is used primarily as a demographic category by Statistics Canada, in connection with Employment Equity policies, which states, “the visible minority population consists mainly of the following groups: South Asian, Chinese, Black, Filipino, Latin American, Arab, Southeast Asian, West Asian, Korean and Japanese.” The qualifier “visible” was chosen by the Canadian authorities as a way to single out newer immigrant minorities from both Aboriginal Canadians and other “older” minorities

² Some individuals prefer to be referenced as “people of colour” while others prefer the term “members of a visible minority”; both definitions are included and the expectation is that the term preferred by the individual will be utilized.

³ Pertaining to the BC Human Rights Code, accessible at https://www.bclaws.ca/civix/document/id/complete/statreg/00_96210_01#section1

distinguishable by language (French vs. English) and religion (Catholics vs. Protestants), which are "invisible" traits.

SCOPE:

This Policy applies to all employees, elected officials, contractors, volunteers, and students working or volunteering for the District or providing professional services to it.

This Policy applies to the interpretation and application of current and new bylaws, regulations, policies, procedures, contracts, procurements and activities carried out by the District, all of which will be required to be compliant with the principles and particular requirements specified within this Policy.

The scope of this Policy includes all aspects of the District's activities, including its working environment, procurement, services, meetings and various public events. In addition, this scope will include ongoing relationships with individuals, businesses, community groups and contractors as well as with other local governments and public and private bodies.

This policy is intended to supplement and support British Columbia's Human Rights Code and related District policies such as HUM.03 Respectful Workplace.

ROLES AND RESPONSIBILITIES:

1. Council Members will:

- a) Take leadership to model inclusive behaviour and language and not participate in racist or racially discriminatory conduct;
- b) Support, promote and foster the principles of this Policy in all their work and interactions;
- c) Ensure that Management is trained on this Policy and is implementing it;
- d) Report incidents of racial discrimination or racism experienced or witnessed, immediately to the CAO (or their designate) or the Mayor (or their delegate);
- e) Ensure an investigation is conducted in cases of reports of breaches of this Policy by a member of Council;
- f) Cooperate and participate in good faith in any investigation under this Policy; and
- g) Maintain the confidentiality of all involved in a complaint under this Policy.

2. The Chief Administrative Officer ("CAO") will:

- a) be responsible for the implementation and administration of this Policy.

3. Management will:

- a) Ensure that the workplace and the business of the local government is free from racial discrimination and racism and ensure the principles of this Policy are reflected in the execution of their duties, operational policies and practices within their area of responsibility;
- b) Train Council members on this Policy at the beginning of each term of office and provide refresher training annually thereafter. Training should be meaningful, interactive and involve group work where participants can work through various case studies highlighting appropriate and inappropriate behaviour;
- c) Deal with any breaches of this Policy using the procedure set out in Policy HUM.03 Respectful Workplace; and,
- d) Ensure this Policy is reviewed every 2 years for effectiveness.

4. Employees, Volunteers and Contractors will:

- a) Refrain from engaging in racial discrimination or racism;
- b) Conduct themselves and speak in an inclusive manner;
- c) Report incidents of racial discrimination or racism experienced or witnessed, immediately to a supervisor, the CAO or the Mayor (or their delegate);
- d) Maintain the confidentiality of all involved in a complaint under this Policy; and
- e) Cooperate and participate in good faith in any investigation under this Policy.

5. The Union will

- a) Take an active role as partners in supporting, promoting and fostering the principles of this Policy in all their work and interactions with their members, Management and Council.

PROCEDURE:

All members of Council, management, employees, volunteers and contractors of the District have a responsibility to treat all complaints under this Policy seriously. All complaints of racism and racial discrimination shall be investigated pursuant to the complaint procedure set out in policy HUM.03 Respectful Workplace.

REMEDIES:

Any individual covered by this Policy, who is found to have engaged in, or known about and took no action to report or stop racial discrimination or racist behaviour contrary to this Policy may be subject to appropriate action depending up on the severity of the misconduct. The range of appropriate remedy may include, but is not limited to, the following:

- Oral and/or written apology from the Respondent and/or the District;
- Any administrative change that is appropriate (i.e.: job site or position transfer; no contact for a period of time, temporary or permanent changes to reporting structures or work assignments)
- Coaching;
- Counselling;
- Training or education;
- Re-orientation to this Policy and its purpose;
- Discipline up to and including termination of employment for just cause;
- Termination of contract for service or of a volunteer opportunity.

In the case of an elected official, sanction by Council (including but not limited to censure, removal from appointments, referral to police or legal action).

If the Respondent is not covered by this Policy, the District will take any and all steps reasonable and necessary to remedy the substantiated complaint to protect the Complainant from future harm.

UNSUBSTANTIATED COMPLAINTS:

If an investigator finds insufficient evidence to support the Complainant's allegations, the investigator will submit that finding. There will be no record of the complaint on the Complainant's or Respondent's file and there will be no sanction to anyone concerning the incident. A finding of no evidence is a simple reflection of an absence of evidence to support the claim and nothing more.

NO REPRISALS OR RETALIATION:

Every person covered by this Policy has the right to report, in good faith, any instance of racial discrimination or racism, without fear of retaliation. Retaliation in any form against any individual involved in complaint(s) or conflicts under this Policy by any party will not be tolerated, and will be subject to disciplinary actions up to and including dismissal, revocation of privileges and/or cancellation of contract. Any elected official covered by this Policy who is found to have engaged in any reprisal or retaliation in violation of this Policy will be subject to Council consideration of appropriate sanctions, which may include censure, removal from appointments, referral to police or legal action.

VEXATIOUS ALLEGATIONS AND COMPLAINTS:

Any individual covered by this Policy who makes an allegation or complaint under this Policy that is subsequently found to have been made in a deliberately vexatious or malicious manner, or otherwise to have been made in bad faith, will be subject to appropriate action, up to and including dismissal, revocation of privileges, and/or cancellation of contract.


RELATED POLICIES, PROCEDURES, AGREEMENTS AND/OR BYLAWS:

- *BC Human Rights Code [RSBC 1996] CHAPTER 210*
- *Workers Compensation Act, Sections 115, 116, 117*
- *HUM.02 Standards of Conduct for Employees*
- *HUM.03 Respectful Workplace*
- *HUM.04 Computer and Technology Acceptable Use*
- *HUM.05 Progressive Discipline*
- *HUM.11(A) Social Media*
- *SMS.119 Violence in the Workplace*

***** END OF PROCEDURE *****

RECORD OF AMENDMENTS/REVIEW

<u>Policy #</u>	<u>Date Adopted</u>	<u>Date Reviewed</u>	<u>Amended (Y/N)</u>	<u>Date Reissued</u>	<u>Authority (Resolution #)</u>
ADM.30(C)	November 16, 2020				RC20/548

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Acknowledgement

I acknowledge that I have read and understand District Policy **ADM.30(A)**. I have read and been informed about the content, requirements, and expectations of this Policy. I am aware that violations of this Policy may result in disciplinary action, up to and including termination of my employment, restitution, civil action, criminal prosecution, or any combination thereof.

I understand that if I have questions, at any time, regarding the Policy, I will consult with my immediate supervisor, Human Resources staff members, or the Deputy Chief Administrative Officer.

Please read the Policy carefully to ensure that you fully understand the Policy before signing this document.

Employee Signature: _____

Employee Printed Name: _____

Date Signed: _____